

WSR 08-03-009
PROPOSED RULES
FOREST PRACTICES BOARD

[Filed January 4, 2008, 11:27 a.m.]

Continuance of WSR 07-21-081.

Title of Rule and Other Identifying Information: Achieving desired future conditions in riparian management zones. This rule proposal amends WAC 222-30-021 to change timber harvest and leave tree requirements in riparian management zones adjacent to Type S and F Waters as defined in WAC 222-16-030. It pertains to forest lands in western Washington.

Hearing Location(s): Holiday Inn, 3105 Pine Street, Everett, (425) 993-2000, on Thursday, October 16, 2008, at 6:00 p.m.; and at the Natural Resources Building, Room 172, 1111 Washington Street S.E., Olympia, (360) 902-1400, on Wednesday, October 8, 2008, at 6:00 p.m.

Date of Intended Adoption: November 12, 2008.

Submit Written Comments to: Patricia Anderson, DNR Forest Practices Division, 1111 Washington Street S.E., P.O. Box 47012, Olympia, WA 98504-7012, e-mail forest.practicesboard@dnr.wa.gov, fax (360) 902-1428, by October 17, 2008.

Assistance for Persons with Disabilities: Contact Forest Practices Division at (360) 902-1400, by September 30, 2008, TTY (360) 902-1125.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: WAC 222-30-021 provides prescriptions and options to harvesting trees in forested "riparian management zones" as defined in WAC 222-16-010.

Pursuant to RCW 76.09.370, the forest practices board incorporates a scientific-based adaptive management process to determine the effectiveness of forest practices rules in aiding Washington's salmon recovery effort. Under this adaptive management process, a scientific study was completed by the forest practices board's cooperative monitoring, evaluation, and research committee. The study, entitled *Validation of the Western Washington Riparian Desired Future Condition (DFC) Performance Targets in the Washington State Forest Practices Rules with Data From Mature, Unmanaged, Conifer-Dominated Riparian Stands*. The study's findings were that basal areas per acre of mature, unmanaged conifer-dominated riparian stands are greater than the values used in the rule (see WAC 222-20-021(1) for values in existing rule).

The board is considering two alternative rule amendments to respond to the study findings. The effects of both would increase the basal area retained in riparian management zones, thereby decreasing allowable harvest.

- The first would increase the target basal area per acre (325 sq. ft. for all site classes) that a forest stand is projected to reach at 140 years from the year of harvest in the riparian management zone.
- The second would increase the target basal area per acre the same as the first alternative rule amendment, and also change the methods of thinning trees in the inner zones - see WAC 222-30-021 (1)(b)(ii) (B)(I) and (II).

Reasons Supporting Proposal: The proposed rule changes are based on recommendations resulting from the scientifically based adaptive management process outlined in WAC 222-12-045. Through this process, the board has determined that the forest practices rules should be adjusted to ensure that appropriate riparian buffers are maintained on forest land covered by the Forest Practices Act.

Statutory Authority for Adoption: RCW 76.09.040 and 76.09.370(6).

Statute Being Implemented: Not applicable.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Forest practices board, governmental.

Name of Agency Personnel Responsible for Drafting: Marc Engel, 1111 Washington Street S.E., Olympia, (360) 902-1390; Implementation: Gary Graves, 1111 Washington Street S.E., Olympia, (360) 902-1483; and Enforcement: Lenny Young, 1111 Washington Street S.E., Olympia, (360) 902-1744.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

REVISED PRELIMINARY ECONOMIC ANALYSIS

OBJECTIVES: The forest practices board is considering permanent rule making that will affect timber harvesting in riparian management zones (RMZs) in Washington. The objectives of this economic analysis are to determine whether the benefits of the proposed rules exceed the costs, and whether the compliance costs of the proposed rules will disproportionately affect the state's small businesses.

Prior to rule adoption, the Administrative Procedure Act (chapter 34.05 RCW)¹ requires completion of a cost-benefit analysis (CBA) that demonstrates that probable benefits of the proposal exceed its probable costs and that it is the most cost-effective means of achieving the goal of the rule change. A small business economic impact statement (SBEIS) is required by the Regulatory Fairness Act (chapter 19.85 RCW)² to consider the impacts of state administrative rules on small businesses, defined as those with fifty or fewer employees. An SBEIS compares the costs of compliance for small businesses with the cost of compliance for the 10% of businesses that are the largest businesses required to comply with the proposed rules.

This economic analysis combines the SBEIS and the CBA and complies with the legislative requirements for these analyses as part of the rule-making process.

HISTORICAL CONTEXT: The forests and fish negotiations resulted in rules that manage timber harvests in riparian zones, one of the objectives of which is to reach desired future conditions (DFC). The DFC of a riparian forest is a timber stand that demonstrates the characteristics of mature, unmanaged riparian stands at age 140³. One of the metrics chosen to create these characteristics is a target basal area per acre at age 140 (hereinafter referred to as bapa-140), with targets varying by site class.

As part of the adaptive management process, the riparian scientific advisory group (RSAG) of the cooperative moni-

toring, evaluation and research committee (CMER) commissioned a study of mature, unmanaged riparian forest stands in western Washington (Schuett-Hames et al., 2005)⁴. One of the objectives of this study was to determine whether the bapa-140 targets in the forest practices rules were appropriate. The study concluded that the basal area targets are incorrect, but did not provide alternative target values. The study also concluded that there is no statistical difference for basal area targets between site classes.

PROPOSED RULES SUMMARY: The proposed rule changes the DFC target basal area at year 140 (bapa-140). The forest practices board is considering using one value for all site classes, and to use the median value for total live basal area per acre of the Schuett-Hames et al. study data, which is 325 square feet. The board is also considering an alternative proposal that adjusts bapa-140 to 325 while modifying other rule provisions. Details are provided below.

ECONOMIC ANALYSIS: To comply with the Administrative Procedure Act and Regulatory Fairness Act this analysis identifies potentially affected industries, defines small and large businesses and determines if there is a disproportionate economic impact on small businesses. It also estimates the annual cost of compliance with the proposed rule changes.

Potentially Affected Industries. The rule-complying community affected by the proposal is businesses that own or control the cutting rights on forestland or those with the right to dispose of the timber.

Small Businesses versus Large Businesses. The Regulatory Fairness Act defines a "small business" as one with fifty or fewer employees. This definition does not lend itself to commercial forestry, because a growing proportion of Washington's commercial forest acreage is owned by investment-oriented firms that employ few people. Forest ownership acreage and the volume of timber harvested on an annual basis are generally more appropriate metrics for characterizing small businesses in the timber industry. In order to better portray the effects of proposed rule changes on small business, this economic analysis defines small businesses as those meeting the state's eligibility criteria for small forest landowner status in the forestry riparian easement program; generally those who harvest an average of less than two million board feet per year from their own land. All other private landowners are categorized as "large businesses" for purposes of this analysis.

Benefits and Costs Included in the Analysis. The costs of the rule change are measured as the potential loss of timber revenue, based on an estimate of the timber volume that is annually affected by the rule making. The intended benefits are related to the value of protecting and restoring habitat for fish and wildlife species that utilize riparian areas for all or part of their life cycles. These benefits cannot be quantified in this analysis because there is no known research applicable to Washington that quantifies the marginal benefits of protecting riparian habitat. Methodology and analysis are further discussed below.

Involvement of Concerned Stakeholders. This rule making is the result of the forests and fish adaptive management process described in WAC 222-12-045. It is a formal process involving scientists and policy makers who represent stakeholders of Washington forest practices: Landowners of

large and small forest land acreage, environmental and conservation organizations, tribal organizations, federal and state natural resource agencies, and Washington counties.

In reaction to the findings of the Schuett-Hames report, forests and fish policy petitioned the forest practices board to consider rule making responsive to the findings of the study. DNR's forest practices division held several stakeholder meetings starting in May 2006 to develop a rule proposal that would be responsive to the study results. By the board's August 9, 2006, meeting, the participating stakeholders had not reached an agreement on appropriate changes to the basal area targets. At the August 9, 2006, meeting, the board directed staff to distribute a notice pursuant to RCW 76.09-040(2) requesting comments from the Washington department of fish and wildlife, counties and tribes on a proposal that would change the target basal areas listed in WAC 222-16-0021(1) to the study's median value of 325 square feet per acre for all site classes. The board also instructed staff to specify on the notice that the board intended to consider other options that would appropriately respond to the study.

Prior to the board's June 11, 2007, meeting, the Washington forest protection association forwarded another rule proposal to DNR, which was also intended to respond to the findings in the Schuett-Hames report. Since then, DNR has facilitated several stakeholder meetings to further develop that proposal. The resulting rule proposal is referred in this analysis as "proposal 2."

METHODS OF ANALYSIS: This analysis includes the following:

- The effects of a change in bapa-140 targets to 325 (median value from Schuett-Hames report) for all site classes (proposal 1); and
- The effects of a proposal to change bapa-140 targets to 325 and modifying other provisions of existing rules (proposal 2).

Details of the Two Proposals. Current rules and both proposals offer two harvest options. Under current rules, option 1 is a thinning treatment with a minimum trees-per-acre requirement, and option 2 is a packing treatment that leaves trees closest to the water within no-cut floors. Under current rule, the basal area targets are applied to the combined core and inner riparian zones, such that the bapa-140 requirement in the inner zone will vary according to site class, core zone inventory and the rule-required sizes of the core and inner zones⁵. In addition, shade requirements must be met under both options. Proposal 1 changes the target bapa-140 to 325 for all site classes, but otherwise makes no changes to existing rules.

Proposal 2 changes the manner in which the harvest options are applied. Option 1 is a simplified thinning alternative that requires a minimum number of leave conifers in the inner zone, based on average diameter (dbh)⁶ of the stand's conifer inventory. These range from 57 trees per acre (tpa) (for 22-inch and greater average diameter) to 100 trees per acre (averaging 8 inches in diameter). Besides this, proposal 2 differs from existing regulations and from proposal 1 in the following ways:

- All site classes and stream widths have an RMZ width of 153 feet with a 50 foot core zone, a 60 foot inner zone and a 43 foot outer zone.
- Thinning does not have to be "from below"—the largest trees do not have to be left. Average stand dbh must be maintained, however.
- In order to use this option, more than half of the basal area in the core zone must be in conifers.

Unlike existing rules and proposal 1, the allowable thinning does not take into account the projected basal area in the core zone or current inventory in the inner zone, so long as the minimum dbh/tpa benchmark is reached and the core zone is conifer-dominated.

Option 2 is similar to current rule, except:

- The target basal area is changed to 325 square feet for all site classes.
- The 20 tpa conifers that must be left in the cut portion of the inner zone can be credited to meeting the bapa-140 target of 325.
- All harvest sites, regardless of stream size and site class, are eligible to use option 2.
- Additional harvesting may be permitted in cases where minimum no-cut floors result in bapa-140 greater than 325 (referred to in this report as "excess basal area.") Excess basal area may be removed following these steps:
 - Outer zone leave trees may be removed down to 10 trees per acre.
 - Remaining excess basal area may be thinned in the inner zone area between 75 feet from the stream and the minimum no-cut floor (either 80 feet for small streams or 100 feet for large streams), following proposal 2's option 1 thinning prescription.

Data inputs. The changes included in proposal 2 necessitate a more complicated approach to the analysis than would have been the case if proposed changes were limited to changing bapa-140 targets (as in proposal 1). This analysis estimates the amount of basal area that would be left in the inner and outer zones under existing rules as well as under the proposals outlined above.⁷ The effects on annual harvest in riparian zones for the two proposals can then be calculated using existing rules as the base case.

These estimates are based on a statewide extrapolation of the data set used by McConnell et al. in the 2007 FPA desktop analysis prepared for the forests and fish cooperative monitoring, evaluation and research committee (CMER), *An Overview of the DFC Model and an Analysis of Westside Type F Riparian Prescriptions and Projected Stand Basal Area per Acre*⁸. The data set consists of 150 randomly selected forest practices applications (FPAs) from 2003 and 2004 that proposed timber harvesting from within the inner portion of the riparian zone in western Washington. The following data from McConnell's data set was used in this economic analysis:

- Stand characteristics supplied by applicant: Site class, stream size, major species (Douglas-fir or Western Hemlock), core and inner zone acreage, stand age.
- Tree inventory data (softwoods and hardwoods).

- Stand characteristics calculated from these data: Core and inner zone trees per acre (tpa), current basal area per acre (bapa), projected no-cut basal area per acre at age 140 (bapa-140), outer zone leave trees.
- Attributes following model-generated prescription (reported for core and inner zones as appropriate): Current bapa, bapa-140, size of first tree that may be cut (marginal tree dbh), tpa (option 1), no-cut floor (width of no-cut portion of inner zone, option 2).

The DFC model determines the change in post-harvest basal area per acre from the time of harvest to year 140 based on the interaction of a number of stand factors, including stand age, species mix and percent conifer, trees per acre (tpa), current basal area, and site class. The model was designed using existing bapa-140 targets, and because these bapa-140 targets are hardwired into the model, it does not have the flexibility needed to change these bapa-140 targets for this analysis. Given these circumstances, this analysis estimates the effects of changing these targets by calculating the additional conifers that need to be left to meet DFC, assuming that the model's growth projections for post-harvest stands hold at higher bapa-140 targets.

Methodological approach. The basic unit of analysis is basal area. Basal area is used because it allows the comparison of prescriptions that differ within the RMZ area, i.e., zone configuration, zone treatments, average dbh, etc. The amount of basal area that will remain in the inner and outer zones is estimated for both harvest options under existing rules and each rule proposal as follows:

- For **existing rules options 1 and 2**, the remaining trees left following permitted treatments, as reported in McConnell's study, is recalculated as basal area.
- For **option 1 of proposal 1**, a growth factor must be applied in order to estimate the amount of basal area needed at the time of harvest to meet the target basal area of 325 at age 140. This basal area is calculated by comparing the bapa growth trajectories of a given stand with no inner zone timber harvest and the bapa-140 following the prescribed thinning in existing regulations.
- For **option 2 of proposal 1**, the no-cut floors are adjusted when necessary to meet the inner zone basal area requirement⁹.
- For **option 2 of proposal 2**, no-cut floors are adjusted if necessary to account for the crediting of the 20 trees per acre in the cut portion of the inner zone to basal-area-per-acre requirements. If the minimum no-cut floor is farther out than the no-cut floor that would be in place in the absence of minimum no-cut floors, the basal area within this section is considered to be "excess basal area." The amount of excess basal area in outer zone trees that may be cut (down to 10 tpa) is then calculated, and if any excess basal area remains, the amount of basal area in the allowable thinning is calculated.

Calculating the amount of needed basal area for each proposal and harvest option is relatively straightforward except for option 1 of proposal 1. In this case, we need to make growth assumptions in order to determine the amount

of basal area that stands must have to meet the bapa-140 target of 325. The methodology outlined above assumes that the relative growth trajectories from now until year 140 for inventory (no-cut), existing bapa-140 targets, and bapa-140 target of 325 follow similar patterns, such that if we know the trajectories of any two of these (in this case, inventory and existing rules), as well as the target bapa-140, we can calculate the third (in this case, basal area needed following harvest) by interpolating from the other two.

The DFC model and this analysis assume that conifer inventory is evenly spaced throughout the inner area of the riparian zone, and is therefore not sensitive to tree inventory distribution by dbh in the inner zone. The effects of shade requirements on harvest are discussed below, but not included in the leave basal area calculations presented in the tables.

Option 1 and option 2 reported separately. In existing rules, applications for harvest in riparian areas in Site Class 1, 2, or on small streams in Site Class 3 may use harvest options 1 or 2. Site classes 4, 5 and Site Class 3 on large streams may only use harvest option 1. Of the 150 FPAs in the data set, all 150 could harvest under option 1, and 108 could harvest under option 2. In practice, all but six of the 108 FPAs chose option 2 as their harvest regime. This appears to be a reflection of ease of operations, rather than maximizing the level of harvest, since option 2 generally results in leaving more basal area than option 1. For this reason, this analysis does not attempt to choose the option that results in the largest inner-zone harvest for each FPA. The analyses for harvest options 1 and option 2 are reported separately. Although under existing rules applicants overwhelmingly choose harvest option 2 over 1, proposal 2 may result in a greater proportion choosing harvest option 1.

Estimating the value of the additional trees that need to be left in order to meet higher bapa-140 targets. Basal area estimates from McConnell's data set are extrapolated statewide based on FPA activity. Basal area was then converted into timber volume based on average stand characteristics of the 150 stands in the data set. Timber volume was converted to stumpage values using 2007 DNR timber sales data for western Washington.

EFFECTS OF PROPOSALS ON BASAL AREA LEAVE REQUIREMENTS:

Estimating the number of FPAs that are affected by existing rules and proposed rule changes. The effects of the proposed rule changes on individual FPAs vary, reflect-

ing the wide variability in stand attributes. The effects of existing rules on FPAs are covered in depth in McConnell et al. Table 1 compares the constraints among the proposals for the two options.

For option 1:

- As reported in McConnell et al., under existing rules, only eight of the 150 FPAs in the data set are constrained by basal area; the others are constrained by the requirement to leave fifty-seven trees per acre (tpa) in the inner zone after thinning. No FPAs are precluded from thinning under existing rules.
- Raising the bapa-140 target to 325 (proposal 1) results in almost half of the FPAs being constrained by bapa-140. The remaining seventy-nine FPAs remain constrained by the fifty-seven tpa requirement[s] and are therefore not affected by the proposed rule change.
- Twenty of the FPAs do not have sufficient inner zone conifer inventory to thin under proposal 1.
- Five of the 150 FPAs cannot meet the appropriate tpa benchmark for proposal 2, and an additional nine FPAs do not have conifer-dominated core zones. These 14 FPAs cannot use option 1. For the others, once these benchmarks are met there are no basal area constraints to inner zone harvest beyond the leave trees per acre requirements.

For option 2:

- As reported in McConnell et al., forty of the 108 FPAs in the data set that are permitted to harvest under option 2 are constrained by basal area under existing rules; the others are constrained by minimum no-cut floors. One FPA has insufficient basal area to harvest under existing rules.
- Minimum no-cut floors constrain only twenty-two FPAs when bapa-140 targets are raised to 325 (proposal 1).
- Sixteen of the 108 FPAs cannot harvest under option 2 of proposal 1.
- Seventeen percent of the FPAs would not be able to harvest conifers in the inner zone under proposal 2's option 2, similar to the rate for proposal 1.

Care must be taken in comparing the two proposals. While option 2 under proposal 2 is available to all site class/stream size combinations, option 2 under proposal 1 is limited to site classes 1 and 2, and site class 3-large streams.

Table 1
Forest Practices Applications Constraints on Harvest

		Option 1		Option 2			
Number of Forest Practices Applications (FPAs)	Existing rules	Proposal 1	Proposal 2	Existing rules	Proposal 1	Proposal 2	Proposal 2
Constrained by bapa-140	8/150	71/150	NA	40/108	86/108	NA	NA
<i>Percent</i>	5%	47%	NA	37%	80%	NA	NA
No conifers harvested in inner zone	0/150	20/150	14/150	1/108	16/108	25/150	
<i>Percent</i>	0%	13%	9%	1%	15%	17%	

Estimating basal area leave requirements in the inner and outer zones. Tables 2 and 3 summarize the basal area that would be left in the inner and outer zones in the 150 sample FPAs under existing rules and proposals 1 and 2.¹⁰ Because the total inner zone conifer basal area inventory varies among proposals and options (due to differences in inner zone widths and eligibility), comparisons are made based on percentage of basal area remaining after harvest.

Option 1. Under existing regulations, an average of 57% of conifer basal area is left in the inner zone after thinning. This increases to 69% under proposal 1. Proposal 2 leaves three-quarters of the basal area left under current rules, or 43% of the inner zone conifer inventory.

The lower basal area left under proposal 2 is entirely the result of differences in average leave conifer diameter. Although the average inner zone width under proposal 2 is similar to the average inner zone width under existing rules, and the leave trees per acre requirements are higher, the average diameter of leave trees is lower under proposal 2 than current rules - fourteen inches versus twenty inches. This is the result of differences in thinning prescriptions between proposal 2 and current rules. Proposal 2 requires that average diameter be maintained after thinning, whereas existing rules require "thinning from below" - that the largest trees are left. Basal area is calculated as the square of the diameter times a constant, such that a twenty inch conifer has double the basal area of a fourteen inch conifer.

Slightly less basal area is left in the outer zone under proposal 2 because the average outer zone width of the 150 FPAs

in the data set is forty-five feet under existing rules, whereas proposal 2 has a uniform outer zone width of forty-three feet.

Option 2. In the subset of 108 FPAs that are eligible to harvest under option 2, 69% of the basal area is left under current rules, increasing to 81% if bapa-140 is increased to 325 (proposal 1).

The magnitude of changes in proposal 2's option 2 is significantly less than is the case with option 1. The differences between proposal 2's option 2 and proposal 1 (outlined above) do not have much of an affect on leave basal area. Direct comparisons with existing rules and between proposals are difficult to make, because proposal 2 is available to all site class/stream size combinations. To facilitate comparison, tables 2 and 3 separate leave basal area for proposal 2 into two subgroups: "Site class 1, 2, and 3-small," which includes the FPAs eligible to use option 2 under existing rules and proposal 1, and "site class 3-large, 4 and 5," which are ineligible to use option 2 except under proposal 2. The comparison "site class 1, 2, and 3-small" subgroup leaves about 2% less basal area under proposal 2 than the comparable group of FPAs under proposal 1 (79% versus 81%). Site class 3-large, 4 and 5 subgroup leaves more basal area inventory (84%) than the other subgroup.

Proposal 2 permits the harvest of excess basal area in two steps: A decrease in the outer leave tree requirement from twenty down to ten trees per acre, followed by a limited thinning. The effects of these prescriptions are presented in Table 4.¹¹

Table 2
Basal area remaining after harvest in inner and outer zones.
Option 1 - Thinning

	Inner Zone conifer basal area (sq. ft.)											Outer Zone conifer basal area (sq. ft.)	
	All FPAs				Site classes 1, 2, and 3 (small streams)				Site classes 3 (large streams), 4 and 5				
	# FPAs eligible*	Before harvest	After harvest	% left after harvest	# FPAs	Before harvest	After harvest	% left after harvest	# FPAs	Before harvest	After harvest	% left after harvest	After harvest
Existing rules	150	62,398	35,555	57%	108	43,725	25,385	58%	42	18,673	10,170	54%	3,383
Proposal 1	150	62,398	42,875	69%	108	43,725	28,996	66%	42	18,673	13,880	74%	3,383
Proposal 2	150	62,398	27,007	43%	108	43,725	16,729	38%	42	18,673	10,278	55%	3,293

*Forest Practices Applications included in McConnell et al. data set

Table 3
Basal area remaining after harvest in inner and outer zones.
Option 2 - Leaving trees closest to the stream

	Inner Zone conifer basal area (sq. ft.)											Outer Zone conifer basal area (sq. ft.)	
	All FPAs				Site classes 1, 2, and 3 (small streams)				Site classes 3 (large streams), 4 and 5				
	# FPAs eligible*	Before harvest	After harvest	% left after harvest	# FPAs	Before harvest	After harvest	% left after harvest	# FPAs	Before harvest	After harvest	% left after harvest	After harvest
Existing rules	108	42,068	29,107	69%	108	42,068	29,107	69%	0	na	na	na	2,656

	Inner Zone conifer basal area (sq. ft.)											Outer Zone conifer basal area (sq. ft.)	
	All FPAs				Site classes 1, 2, and 3 (small streams)				Site classes 3 (large streams), 4 and 5				
	# FPAs eligible*	Before harvest	After harvest	% left after harvest	# FPAs	Before harvest	After harvest	% left after harvest	# FPAs	Before harvest	After harvest	% left after harvest	After harvest
Proposal 1	108	42,068	34,201	81%	108	42,068	34,201	81%	0	na	na	na	2,656
Proposal 2	150	60,760	49,095	81%	108	42,068	33,336	79%	42	18,692	15,759	84%	3,161

*Forest Practices Applications included in McConnell et al. data set

Table 4
Effects of proposed rule provisions.
Option 2 - Proposal 2

	All FPAs	Site classes 1, 2, and 3 (small streams)	Site classes 3 (large streams), 4 and 5
<i>Number of FPAs</i>	<i>150</i>	<i>108</i>	<i>42</i>
Inner zone conifer basal area	60,760	42,068	18,692
Basal area left with minimum floors	49,844	33,815	16,029
Basal area left, no minimum floors	47,787	32,877	14,911
Excess basal area	2,057	938	1,118
<i>Number of FPAs with excess basal area</i>	<i>27</i>	<i>23</i>	<i>4</i>
Basal area of outer zone trees removed	278	245	33
Basal area of thinned conifers	749	479	270
Inner zone left after prescriptions	49,095	33,336	15,759
<i>Number of FPAs with excess basal area</i>	<i>6</i>	<i>4</i>	<i>2</i>
Excess basal area after credits	1,029	214	815

Basal area is in square feet.

Excess basal area is defined as the difference between the basal area left with and without minimum no-cut floors. For the entire data set, this amounts to 2,057 square feet, approximately 4% of the basal area left prior to adjustments. Of the 150 FPAs in the data set, twenty-seven have excess basal area. The others are not constrained by minimum floors. This differs somewhat from the findings reported for proposal 1 because the basal area of the required twenty leave trees per acre in the cut portion of the inner zone is credited in the calculation of excess basal area.

The basal area of the ten outer zone conifers per acre that may be harvested to mitigate excess basal area amounts to 278 square feet, and the allowable thinning accounts for an additional 749 square feet of basal area, freeing up 1,028 square feet of basal area for harvest. After these provisions are exhausted, 1,029 feet of excess basal area remains in six FPAs. These results are somewhat skewed by one FPA that accounts for more than 75% of the remaining excess basal area.¹²

The effects of shade rule requirements on leave basal area. Inner zone harvests must meet shade rule requirements within seventy-five feet of a stream under existing rules as well as the two proposals. Shade rule requirements are implicitly built into the minimum no-cut floor widths of option 2, but they may have an effect on option 1 thinning within the portion of inner zones between fifty and seventy-five feet from a stream. The effects would be greatest under option 1 of proposal 2, because this proposal results in the thinning of a greater number of large conifer trees than existing rules or proposal 1.

To estimate the magnitude of the effects of the shade rule, the leave basal area under option 1 of proposal 2 was recalculated assuming that the portion of the inner zone between fifty and seventy-five feet from the stream was left untouched, and the remaining inner zone (from seventy-five to one hundred ten feet) was thinned within the confines of the proposed rule, which stipulates a fifty foot minimum distance between conifers. The adjusted leave basal area for option 1 of proposal 2 is 31,278 square feet, compared to 27,007 feet as reported in table 2. This is a conservative estimate, as it is likely that some level of harvest may be undertaken within seventy-five feet of a stream in most stands.

Statewide extrapolation. The data set used in McConnell et al. was randomly selected from all of the FPAs that included riparian inner-zone harvest in 2003 and 2004. The report describes the situations in which some FPAs were dropped. In cases where there was more than one stream segment, the first stream segment was chosen. For the purposes of extrapolation, these additional stream segments are the equivalent of additional FPAs. There are 348 stream segments in the 150 sample FPAs, or 2.32 stream segments per FPA. There were 391 FPAs that included riparian zone harvest in 2003, and 444 in 2004, for an average of 418. There are, therefore, an estimated 970 stream segments where inner zone harvest activity is proposed annually, approximately 6.5 times more riparian area harvest activity per year than is found in the 150 survey FPAs. Tables 5 and 6 adjust the findings in Tables 2 and 3 to a statewide extrapolation.

Table 5
Basal area remaining after harvest in inner and outer zones.
Statewide annual extrapolation, Option 1 - Thinning

	Inner Zone conifer basal area (sq. ft.)												Outer Zone conifer basal area (sq. ft.)
	All FPAs				Site classes 1, 2, and 3 (small streams)				Site classes 3 (large streams), 4 and 5				
	# FPAs eligible	Before harvest	After harvest	% left after harvest	# FPAs	Before harvest	After harvest	% left after harvest	# FPAs	Before harvest	After harvest	% left after harvest	After harvest
Existing rules	970	403,505	229,925	57%	698	282,755	164,159	58%	272	120,749	65,766	54%	21,874
Proposal 1	970	403,505	277,262	69%	698	282,755	187,506	66%	272	120,749	89,756	74%	21,874
Proposal 2	970	403,505	174,643	43%	698	282,755	108,181	38%	272	120,749	66,462	55%	21,295

Table 6
Basal area remaining after harvest in inner and outer zones.
Statewide annual extrapolation, Option 2 - Leaving trees closest to the stream

	Inner Zone conifer basal area (sq. ft.)												Outer Zone conifer basal area (sq. ft.)
	All FPAs				Site classes 1, 2, and 3 (small streams)				Site classes 3 (large streams), 4 and 5				
	# FPAs eligible	Before harvest	After harvest	% left after harvest	# FPAs	Before harvest	After harvest	% left after harvest	# FPAs	Before harvest	After harvest	% left after harvest	After harvest
Existing rules	698	272,042	188,225	69%	698	272,042	188,225	69%	0	na	na	na	17,167
Proposal 1	698	272,042	221,166	81%	698	272,042	221,166	81%	0	na	na	na	17,167
Proposal 2	970	392,917	317,479	81%	698	272,042	215,573	79%	272	120,875	101,908	84%	20,441

Calculating timber volume and stumpage value. The most accurate method to estimate timber volume would be to calculate basal area for each FPA based on diameter (dbh) of all leave trees as well as site characteristics (site class, stand age, and species). Given time constraints, a simpler approach was used in this analysis, based on the following tables in the USFS Foresters Field Handbook:

- Westside Douglas-fir fifty-year site index table (to estimate tree height from site index and stand age).
- Board foot volume table for young Douglas-fir Scribner Log Rule.

Although leave trees vary in average diameter among the various proposal/option combinations, the average conifer dbh of all of the trees in the data set - 14 inches - was used for this calculation.

The average tree height (one hundred nineteen feet) was estimated based on the average stand age (fifty-two) and average site index (one hundred sixteen) of the data set. Volume was then calculated for a fourteen inch dbh Douglas-fir of this height — two hundred eighteen board feet per tree. Stumpage value was calculated based on recent DNR timber sales results in western Washington. The stumpage price used was \$400 per thousand board feet (mbf), appropriate for twelve to eighteen inch diameter trees.¹³ The result is a stumpage value of \$87.20 per tree.

Table 7 presents an estimate of the value of inner zone conifer inventory and the value of inner and outer zone conifers left, on an annual basis, to meet DFC for each scenario. Findings are reported separately for the stands that may harvest under either option under existing rules (site class 1, 2 and 3-small streams), and those that may only use option 1 (site class 3-large, 4 and 5).¹⁴ Under option 1, out of total inventory of \$32.9 million, \$18.8 million of stumpage value is left under existing rules, \$22.6 million under proposal 1, and \$14.2 million under proposal 2. Under option 2, total inventory of the site class 1, 2 and 3-small streams subset is \$22.2 million, of which \$15.4 million is left under existing rules and \$18.0 million under proposal 1. Inventory under proposal 2, which is available to all site class-stream size combinations, is \$32.1 million, and leave stumpage tree value is \$25.9 million.

Table 7
Stumpage Value
Statewide annual extrapolation (dollar values in millions)

OPTION 1 - Thinning

	Inner Zone stumpage value											Outer Zone stumpage value	
	All FPAs				Site classes 1, 2 and 3 (small streams)				Site classes 3 (large streams), 4 and 5				
	# FPAs eligible	Before harvest	After harvest	% left after harvest	# FPAs	Before harvest	After harvest	% left after harvest	# FPAs	Before harvest	After harvest	% left after harvest	After harvest
Existing rules	970	\$32.9	\$18.8	57%	698	\$23.1	\$13.4	58%	272	\$9.8	\$5.4	\$0.5	\$1.8
Proposal 1	970	\$32.9	\$22.6	69%	698	\$23.1	\$15.3	66%	272	\$9.8	\$7.3	\$0.7	\$1.8
Proposal 2	970	\$32.9	\$14.2	43%	698	\$23.1	\$8.8	38%	272	\$9.8	\$5.4	\$0.6	\$1.7

OPTION 2 – Leaving trees closest to the stream

	Inner Zone stumpage value											Outer Zone stumpage value	
	All FPAs				Site classes 1, 2 and 3 (small streams)				Site classes 3 (large streams), 4 and 5				
	# FPAs eligible	Before harvest	After harvest	% left after harvest	# FPAs	Before harvest	After harvest	% left after harvest	# FPAs	Before harvest	After harvest	% left after harvest	After harvest
Existing rules	698	\$22.2	\$15.4	69%	698	\$22.2	\$15.4	69%	—	na	na	na	\$1.4
Proposal 1	698	\$22.2	\$18.0	81%	698	\$22.2	\$18.0	81%	—	na	na	na	\$1.4
Proposal 2	970	\$32.1	\$25.9	81%	698	\$22.2	\$17.6	79%	272	\$9.9	\$8.3	\$0.8	\$1.7

COSTS OF PROPOSED RULE CHANGES: As previously mentioned, comparisons among some option/proposal combinations are difficult to make, because option 2 is only available to a subset of site class/stream width combinations under existing rules and proposal 1, and zone configurations vary. Comparisons based on percentage of basal area left can be made, but such comparisons are somewhat skewed because the site class 3-large, 4 and 5 subgroup leaves a higher percentage of basal area than the site class 1, 2 and 3-small subgroup under those scenarios that permit harvesting under all site class/stream size combinations (all option 1 scenarios and proposal 2 of option 2). Comparison data provided in Table 8 is thus presented by subgroup as well as in total.

	Inner and outer zones	All inner zone	Inner zone site class 1, 2, and 3-small	Inner zone site class 3-large, 4 and 5	Outer zone
Cost increase (decrease)	(\$4.6)	(\$4.5)	(\$4.6)	\$0.06	(\$0.05)

OPTION 2 – Leaving trees closest to the stream

	Inner and outer zones	All inner zone	Inner zone site class 1, 2, and 3-small	Inner zone site class 3-large, 4 and 5	Outer zone
Existing rules	\$16.8	\$15.4	\$15.4	—	\$1.4
Proposal 1	\$19.4	\$18.0	\$18.0	—	\$1.4
Cost increase (decrease)	\$2.7	\$2.7	\$2.7	—	—
Proposal 2	\$28.6	\$25.9	\$17.6	\$8.3	\$1.7
Cost increase (decrease)	na	na	\$2.2	na	\$0.3

Option 1 (thinning). Changing the basal area per acre at age 140 (bapa-140) target to 325 (proposal 1) increases the stumpage value of conifers left to meet DFC by \$3.9 million annually. Proposal 2, which proposes a series of changes to existing rules outlined in the Methods of Analysis section, results in annual savings of \$4.6 million.

Option 2 (leaving trees closest to the stream). Changing the basal area per acre at age 140 (bapa-140) target to 325 (proposal 1) increases the stumpage value of conifers left to

OPTION 1 – Thinning

	Inner and outer zones	All inner zone	Inner zone site class 1, 2, and 3-small	Inner zone site class 3-large, 4 and 5	Outer zone
Existing rules	\$20.5	\$18.8	\$13.4	\$5.4	\$1.8
Proposal 1	\$24.4	\$22.6	\$15.3	\$7.3	\$1.8
Cost increase (decrease)	\$3.9	\$3.9	\$1.9	\$2.0	—
Proposal 2	\$16.0	\$14.2	\$8.8	\$5.4	\$1.7

meet DFC by \$2.7 million annually. For the subgroup of site class/stream size combinations that may currently use option 2, proposal 2 increases costs by \$2.2 million, but results in a savings of \$500,000 over proposal 1. For the subgroup that may not currently use option 2, comparisons with other option 2 proposals cannot be made. Comparing the stumpage value of leave conifers in this subgroup with option 1 (existing rules) suggests an increase in annual costs of \$3 million, but a portion of this increase is due to the fact that option 2 generally results in more leave basal area than option 1, so the comparison cannot be readily made.

Small Business Impacts. The 150 FPAs in the sample were not identified as to small forest landowner status. Anecdotal evidence suggests that nonindustrial landowners are less likely to consider harvesting in riparian zones, due to the complicated nature of following the rules, such as the requirement to inventory each tree by two-inch diameter class. Those that choose to harvest may be more likely to utilize option 2, which is simpler to set up, in spite of the fact that option 1 usually allows more harvesting than option 2. Under these circumstances, we estimate that the effects on small business are similar to the industry as a whole for proposal 1 and option 2 of proposal 2.

However, if landowners were to use option 1 of proposal 2, the effects could be positive compared to existing rules because:

- The evaluation process to determine stand eligibility would be simpler than under existing rules;
- A greater number of trees would be allowed to be thinned in the inner zone; and
- It would be possible to select high value trees for thinning.

In general, the effects on small businesses appear to be similar to the industry as a whole for both proposals 1 and 2, and neither proposal appears to have disproportionate negative impacts on small forest landowners when compared to Washington timber industry businesses overall. The major tasks involved in timber sale planning would not change as a result of this rule making, and timber harvests within riparian management zones will continue to be a small percentage of the overall harvest unit. Therefore, it is improbable that this rule making would have an effect on small business employment in the state.

BENEFITS: The goal of the proposed rule making is to facilitate reaching desired future conditions conducive to healthy riparian ecology and function, and ultimately to improve water quality and habitat for fish and wildlife species that utilize riparian areas for all or part of their life cycle. The 1999 forests and fish report, which initiated the current riparian strategies for forest practices rules, based recommendations for improving and maintaining "bank stability, recruitment of large woody debris, leaf litter fall, nutrients, sediment filtering, shade, and other riparian features that are important to both riparian forest and aquatic system conditions."¹⁵ The report also initiated an adaptive management program through which adjustments in the rules would be made to achieve resource objectives. The proposed rule proposals are a manifestation of that program and are intended to provide enhanced benefits to water quality and fish and wildlife habitat.

The benefits of both proposal 1 and proposal 2 are difficult to analyze. The economic benefits of the proposed rule change cannot be reasonably estimated because they occur at the margin, and marginal benefits of protecting riparian areas haven't been studied. Some general inferences can be made from the data set, however. In twenty of the 150 sample FPAs, bapa-140 increased after the prescribed option 1 thinning treatment under existing rules compared to bapa-140 without a thinning. On the other hand, none of the 108 eligible FPAs increased bapa-140 after an option 2 treatment. The fact that the vast majority (102 out of 108) of FPAs in the sample chose option 2 over option 1 even though more trees are left under option 2, and the large standard deviation in the mature stands reported by the Schuett-Hames study, suggest that the current structure may be counterproductive for stands that would benefit from thinning but cannot meet bapa-140 targets. Increasing bapa-140 targets may exacerbate the situation.

The benefits of proposal 2's option 1 are even more difficult to analyze. If the proposal meets bapa-140 targets, it offers improved efficiencies in doing so, and would be simpler to implement than option 1 in the existing rules. This may induce more thinning in inner zones, resulting in improved conditions. However, stands with relatively low core zone bapa may be unable to function ecologically, particularly in the short term.

CONCLUSIONS: This economic analysis estimates the costs of the proposed rule making on an annual basis. Costs are defined as the annual statewide decrease in timber harvest revenue resulting from the proposed rule change. These estimates are based on a statewide extrapolation of the data set used by McConnell et al. in the 2007 CMER report, *An Overview of the DFC Model and an Analysis of Westside Type F Riparian Prescriptions and Projected Stand Basal Area per Acre*.

The annual change from existing rules in stumpage value of trees not harvested under proposal 1 is \$3.9 million under option 1 and \$2.7 million under option 2. Compared with existing rules, proposal 2 allows the additional harvest of \$4.6 million of stumpage value annually under option 1,¹⁶ and option 2 results in an additional stumpage value of \$2.2 million left after harvest annually for the site class 1, 2 and 3-small subgroup of site class/stream size combinations that are currently permitted to harvest under option 2.¹⁷

As discussed in the McConnell et al. report, this analysis necessitated making a number of assumptions that were not field tested. These findings should therefore be considered at best as providing an indication of the scale of the effects of the proposed rule change. In addition, shade rule requirements may further limit harvest under option 1 for some stands.

The effects on small businesses appear to be similar to the industry as a whole for both proposals 1 and 2, and neither proposal appears to have disproportionate negative impacts on small forest landowners when compared to Washington timber industry businesses overall. The major tasks involved in timber sale planning would not change as a result of this rule making, and timber harvests within riparian management zones will continue to be a small percentage of the overall harvest unit. Therefore, it is improbable that this rule making

would have an effect on small business employment in the state.

Benefits are identified as the value of achieving DFC in riparian areas, but are not quantified due to the lack of available relevant information.

Consideration should also be given to the distribution of costs and benefits. While the benefits accrue generally, the costs are borne by a limited number of forest practices applicants. The effects on individual applications vary considerably. Using option 1, about half of the FPAs are unaffected by changing the bapa-140 target to 325 (proposal 1), because they have more than sufficient basal area, and would still be constrained by the fifty-seven trees-per-acre requirement. On the other hand, as mentioned previously, 13% of the FPAs would be precluded from option 1 harvesting under proposal 1, because they are unable to meet bapa-140 in the core plus inner zones. Some of these stands might be more likely to meet DFC with an appropriate thinning. Proposal 2's option 1 is generally more favorable to higher site classes than existing regulations, due to decreases in inner zone widths for higher site classes, whereas the larger inner zones on lower site class stands (compared to existing rules) result in an increase in leave basal area for some stands.

ACKNOWLEDGMENT: We would like to thank Steven B. McConnell, Upper Columbia United Tribes, for providing the data essential to this analysis, through both the CMER desktop analysis referenced throughout this document and his willingness to work with department of natural resources' staff during this analysis.

RESOURCES CITED: McConnell, S. 2007. An Overview of the DFC Model and an Analysis of Westside Type F Riparian Prescriptions and Projected Stand Basal Area per Acre. Project Title: The FPA Desktop Analysis. Contract No. PSC 07-22.

Schuetz-Hames, D., R. Conrad, A. Roorbach. 2005. Validation of the Western Washington Riparian Desired Future Condition Performance Targets in the Washington State Forest Practice Rules with Data from Mature, Unmanaged, Conifer-Dominated Riparian Stands. Northwest Indian Fisheries Commission, CMER No. 05-507.

¹ For CBA requirements, see RCW 34.05.328 - The Washington state legislature.

² For SBEIS requirements, see RCW 19.85.040 - The Washington state legislature.

³ See forest practices rules - Title 222 WAC for details.

⁴ This study is available at http://www.dnr.wa.gov/forestpractices/adaptive-management/cmer/publications/CMER_05_507.pdf.

⁵ Refer to WAC 222-30-021 (1)(b)(ii)(B)(I)(II), and Section 7 of the forest practices board manual for existing rules and information pertaining to riparian zone harvest.

⁶ Diameter at breast height. Measurements are taken 4.5 feet above ground level.

⁷ Outer zone trees are included in the analyses to ensure the comparability of the scenarios.

⁸ See <http://www.dnr.wa.gov/forestpractices/adaptive-management/cmer/projects/>.

⁹ Under proposal 1's option 2, harvester that are constrained by the minimum floor area may harvest up to one-half of the trees in the outer riparian zone on a basal area for basal area basis (maintaining a minimum of ten trees per acre), reported as a basal area credit. Increasing bapa-140 targets will affect this credit, but since the model provides insufficient information to calculate this, these trees have been ignored for this analysis.

¹⁰ The effects of shade rule requirements are not included in the data provided in tables 2 and 3, but are discussed below.

¹¹ Existing rules also allow for the harvest of ten outer zone trees on a basal-area-by-basal-area basis.

¹² This FPA includes a large (greater than ten acre) riparian area with basal area per acre of greater than five hundred in the core zone and four hundred in the inner zone.

¹³ Stumpage price is net of costs; costs are assumed to be \$150/mbf.

¹⁴ This is done in order to allow comparison among like groups; in this case, the subset of stands that may use either option 1 or option 2.

¹⁵ Forests and Fish Report, 1999. Appendix B (l)(b). This report may be accessed at <http://www.dnr.wa.gov/forestpractices/adaptive-management/>, under "Adaptive Management Links."

¹⁶ Refer to the methods of analysis section for descriptions of the proposals and options.

¹⁷ Option 2 may be used for the site class 3-large, 4 and 5 subgoup under proposal 2 but may not be used under existing rules or proposal 1.

A copy of the statement may be obtained by contacting Gretchen Robinson, P.O. Box 47012, Olympia, WA 98504-7012, phone (360) 902-1705, fax (360) 902-1428, e-mail gretchen.robinson@dnr.wa.gov.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Gretchen Robinson, P.O. Box 47012, Olympia, WA 98504-7012, phone (360) 902-1705, fax (360) 902-1428, e-mail gretchen.robinson@dnr.wa.gov. Note: The small business economic impact statement and the preliminary cost-benefit analysis are combined in the document, *Preliminary Economic Analysis, Forest Practices Rule Making, Affecting Timber Harvest in Riparian Zones in Western Washington*. This economic analysis was revised November 2007.

December 14, 2007

Victoria Christiansen

Chair

AMENDATORY SECTION (Amending WSR 05-12-119, filed 5/31/05, effective 7/1/05)

WAC 222-30-021 *Western Washington riparian management zones. These rules apply to all typed waters on forest land in Western Washington, except as provided in WAC 222-30-023. RMZs are measured horizontally from the outer edge of the bankfull width or channel migration zone, whichever is greater, and extend to the limits as described in this section. See the board manual section 7 for riparian design and layout guidelines.

(1) Western Washington RMZs for Type S and F Waters have three zones: The core zone is nearest to the water, the inner zone is the middle zone, and the outer zone is furthest from the water. (See definitions in WAC 222-16-010.) RMZ dimensions vary depending on the site class of the land, the management harvest option, and the bankfull width of the stream. See tables for management options 1 and 2 below.

None of the limitations on harvest in each of the three zones listed below will preclude or limit the construction and maintenance of roads for the purpose of crossing streams in WAC 222-24-030 and 222-24-050, or the creation and use of yarding corridors in WAC 222-30-060(1).

The shade requirements in WAC 222-30-040 must be met regardless of harvest opportunities provided in the inner zone RMZ rules. See the board manual section 1.

(a) **Core zones.** No timber harvest or construction is allowed in the core zone except operations related to forest roads as detailed in subsection (1) of this section. Any trees cut for or damaged by yarding corridors in the core zone must be left on the site. Any trees cut as a result of road construction to cross a stream may be removed from the site, unless used as part of a large woody debris placement strategy or as needed to reach stand requirements.

(b) **Inner zones.** Forest practices in the inner zone must be conducted in such a way as to meet or exceed stand requirements to achieve the goal in WAC 222-30-010(2). The width of the inner zone is determined by site class, bankfull width, and management option. Timber harvest in this zone must be consistent with the stand requirements in order to reach the desired future condition targets.

"Stand requirement" means a number of trees per acre, the basal area and the proportion of conifer in the combined inner zone and adjacent core zone so that the growth of the trees would meet desired future conditions. The following table defines basal area targets when the stand is 140 years old.

Site Class	Desired future condition target basal area per acre (at 140 years)
I	((285)) 325 sq. ft.
II	((275)) 325 sq. ft.
III	((258)) 325 sq. ft.
IV	((224)) 325 sq. ft.
V	((190)) 325 sq. ft.

Growth modeling is necessary to calculate whether a particular stand meets stand requirement and is on a trajectory towards these desired future condition basal area target. The appropriate growth model will be based on stand characteristics and will include at a minimum, the following components: The number of trees by diameter class, the percent of conifer and hardwood, and the age of the stand. See the board manual section 7.

(i) **Hardwood conversion in the inner zone.** When the existing stands in the combined core and inner zone do not meet stand requirements, no harvest is permitted in the inner zone, except in connection with hardwood conversion.

(A) The landowner may elect to convert hardwood-dominated stands in the **inner zone** to conifer-dominated stands. Harvesting and replanting shall be in accordance with the following limits:

(I) Conversion activities in the **inner zone** of any harvest unit are only allowed where all of the following are present:

- Existing stands in the combined core and inner zone do not meet stand requirements (WAC 222-30-021 (1)(b));
- There are fewer than 57 conifer trees per acre 8 inches or larger dbh in the conversion area;
- There are fewer than 100 conifer trees per acre larger than 4 inches dbh in the conversion area;
- There is evidence (such as conifer stumps, historical photos, or a conifer understory) that the conversion area can

be successfully reforested with conifer and support the development of conifer stands;

- The landowner owns 500 feet upstream and 500 feet downstream of the harvest unit;

- The core and inner zones contain no stream adjacent parallel roads;

• Riparian areas contiguous to the proposed harvest unit are owned by the landowner proposing to conduct the conversion activities, and meet shade requirements of WAC 222-30-040 or have a 75-foot buffer with trees at least 40 feet tall on both sides of the stream for 500 feet upstream and 500 feet downstream of the proposed harvest unit (or the length of the stream, if less);

- If the landowner has previously converted hardwood-dominated stands, then post-harvest treatments must have been performed to the satisfaction of the department.

(II) In addition to the conditions set forth above, permitted conversion activities in the **inner zone** of any harvest unit are limited by the following:

- Each continuous conversion area is not more than 500 feet in length; two conversion areas will be considered "continuous" unless the no-harvest area separating the two conversion areas is at least half the length of the larger of the two conversion areas.

• Type S and F (Type 1, 2, or 3) Water: Up to 50% of the inner zone area of the harvest unit on one side of the stream may be converted provided that:

◆ The landowner owns the opposite side of the stream and the landowner's riparian area on the opposite bank meets the shade requirements of WAC 222-30-040 or has a 75-foot buffer of trees at least 40 feet tall or:

◆ The landowner does not own land on the opposite side of the stream but the riparian area on the opposite bank meets the shade requirements of WAC 222-30-040 or has a 75-foot buffer of trees at least 40 feet tall.

• Not more than 25% of the inner zone of the harvest unit on both sides of a Type S or F Water may be converted if the landowner owns both sides.

(III) Where conversion is allowed in the **inner zone**, trees within the conversion area may be harvested except that:

- Conifer trees larger than 20 inches dbh shall not be harvested;

- Not more than 10% of the conifer stems greater than 8 inches dbh, exclusive of the conifer noted above, within the conversion area may be harvested; and

- The landowner must exercise reasonable care in the conduct of harvest activities to minimize damage to all residual conifer trees within the conversion area including conifer trees less than 8 inches dbh.

(IV) Following harvest in conversion areas, the landowner must:

- Reforest the conversion area with **conifer** tree species suitable to the site in accordance with the requirements of WAC 222-34-010; and

- Conduct post-harvest treatment of the site until the conifer trees necessary to meet acceptable stocking levels in WAC 222-34-010(2) have crowns above the brush or until the conversion area contains a minimum of 150 conifer trees greater than 8 inches dbh per acre.

- Notify the department in writing within three years of the approval of the forest practices application for hardwood conversion, if the hardwood conversion has been completed.

(V) Tracking hardwood conversion. The purpose of tracking hardwood conversion is to determine if hardwood conversion is resulting in adequate enhancement of riparian functions toward the desired future condition while minimizing the short term impacts on functions. The department will use existing or updated data bases developed in cooperation with the Washington Hardwoods Commission to identify watershed administrative units (WAUs) with a high percentage of hardwood-dominated riparian areas and, thus have the potential for excessive hardwood conversion under these

rules. The department will track the rate of conversion of hardwoods in the riparian zone: (1) Through the application process on an annual basis; and (2) at a WAU scale on a biennial basis as per WAC 222-30-120 through the adaptive management process which will develop thresholds of impact for hardwood conversion at the watershed scale.

(ii) Harvest options.

(A) No inner zone management. When the existing stands in the combined core and inner zone do not meet stand requirements, no harvest is permitted in the inner zone. When no harvest is permitted in the inner zone or the landowner chooses not to enter the inner zone, the width of core, inner and outer zones are as provided in the following table:

No inner zone management RMZ widths for Western Washington

Site Class	RMZ width	Core zone width (measured from outer edge of bankfull width or outer edge of CMZ of water)	Inner zone width (measured from outer edge of core zone)		Outer zone width (measured from outer edge of inner zone)	
			stream width ≤10'	stream width >10'	stream width ≤10'	stream width >10'
I	200'	50'	83'	100'	67'	50'
II	170'	50'	63'	78'	57'	42'
III	140'	50'	43'	55'	47'	35'
IV	110'	50'	23'	33'	37'	27'
V	90'	50'	10'	18'	30'	22'

(B) Inner zone management. If trees can be harvested and removed from the inner zone because of surplus basal area consistent with the stand requirement, the harvest and removal of the trees must be undertaken consistent with one of two options:

(I) Option 1. Thinning from below. The objective of thinning is to distribute stand requirement trees in such a way as to shorten the time required to meet large wood, fish habitat and water quality needs. This is achieved by increasing the potential for leave trees to grow larger than they otherwise would without thinning. Thinning harvest under option 1 must comply with the following:

• Residual trees left in the combined core and inner zones must meet stand requirements necessary to be on a trajectory

to desired future condition. See board manual section 7 for guidelines.

• Thinning must be from below, meaning the smallest dbh trees are selected for harvest first, then progressing to successively larger diameters.

• Thinning cannot decrease the proportion of conifer in the stand.

• Shade retention to meet the shade rule must be confirmed by the landowner for any harvest inside of 75 feet from the outer edge of bankfull width or outer edge of CMZ, whichever is greater.

• The number of residual conifer trees per acre in the inner zone will equal or exceed 57.

Option 1. Thinning from below.

Site class	RMZ width	Core zone width (measured from outer edge of bankfull width or outer edge of CMZ of water)	Inner zone width (measured from outer edge of core zone)		Outer zone width (measured from outer edge of inner zone)	
			stream width ≤10'	stream width >10'	stream width ≤10'	stream width >10'
I	200'	50'	83'	100'	67'	50'
II	170'	50'	63'	78'	57'	42'
III	140'	50'	43'	55'	47'	35'
IV	110'	50'	23'	33'	37'	27'
V	90'	50'	10'	18'	30'	22'

(II) **Option 2. Leaving trees closest to the water.** Management option 2 applies only to riparian management zones for site class I, II, and III on streams that are less than or equal to 10 feet wide and RMZs in site class I and II for streams greater than 10 feet wide. Harvest must comply with the following:

- Harvest is not permitted within 30 feet of the core zone for streams less than or equal to 10 feet wide and harvest is not permitted within 50 feet of the core zone for streams greater than 10 feet wide;

- Residual leave trees in the combined core and inner zone must meet stand requirements necessary to be on a trajectory to desired future condition. See board manual section 7 for calculating stand requirements;

- A minimum of 20 conifers per acre, with a minimum 12-inch dbh, will be retained in any portion of the inner zone where harvest occurs. These riparian leave trees will not be counted or considered towards meeting applicable stand requirements nor can the number be reduced below 20 for any reason.

- Trees are selected for harvest starting from the outer most portion of the inner zone first then progressively closer to the stream.

- If (II) of this subsection results in surplus basal area per the stand requirement, the landowner may take credit for the surplus by harvesting additional riparian leave trees required to be left in the adjacent outer zone on a basal area-for-basal area basis. The number of leave trees in the outer zone can be reduced only to a minimum of 10 trees per acre.

Option 2. Leaving trees closest to water.

Site class	RMZ width	Core zone width (measured from outer edge of bankfull width or outer edge of CMZ of water)	Inner zone width				Outer zone width (measured from outer edge of inner zone)	
			stream width ≤10'	stream width ≤10'	stream width >10'	stream width >10'	stream width ≤10'	stream width >10'
				minimum floor distance		minimum floor distance		
I	200'	50'	84'	30'	84'	50'	66'	66'
II	170'	50'	64'	30'	70'	50'	56'	50'
III	140'	50'	44'	30'	**	**	46'	**

**Option 2 for site class III on streams >10' is not permitted because of the minimum floor (100') constraint.

(iii) **Where the basal area components of the stand requirement cannot be met** within the sum of the areas in the inner and core zone due to the presence of a stream-adjacent parallel road in the inner or core zone, a determination must be made of the approximate basal area that would have been present in the inner and core zones if the road was not occupying space in the core or inner zone and the shortfall in the basal area component of the stand requirement. See definition of "stream-adjacent parallel road" in WAC 222-16-010.

(A) Trees containing basal area equal to the amount determined in (iii) of this subsection will be left elsewhere in the inner or outer zone, or if the zones contain insufficient riparian leave trees, substitute riparian leave trees will be left within the RMZ width of other Type S or F Waters in the same unit or along Type Np or Ns Waters in the same unit in addition to all other RMZ requirements on those same Type S, F, Np or Ns Waters.

(B) When the stream-adjacent road basal area calculated in (iii) of this subsection results in an excess in basal area (above stand requirement) then the landowner may receive credit for such excess which can be applied on a basal area-by-basal area basis against the landowner's obligation to leave trees in the outer zone of the RMZ of such stream or other waters within the same unit, provided that the number of trees per acre in the outer zone is not reduced to less than 10 trees per acre.

(C) When the basal area requirement cannot be met, as explained in (iii) of this subsection, the shortfall may be reduced through the implementation of an acceptable large woody debris placement plan. See board manual section 26 for guidelines.

(iv) If a harvest operation includes both yarding and harvest activities within the RMZ, all calculations of basal area for stand requirements will be determined as if the yarding corridors were constructed prior to any other harvest activities. If trees cut or damaged by yarding are taken from excess basal area, these trees may be removed from the inner zone. Trees cut or damaged by yarding in a unit which does not meet the basal area target of the stand requirements cannot be removed from the inner zone. Any trees cut or damaged by yarding in the core zone may not be removed.

(c) **Outer zones.** Timber harvest in the outer zone must leave 20 riparian leave trees per acre after harvest. "**Outer zone riparian leave trees**" are trees that must be left after harvest in the outer zone in Western Washington. Riparian leave trees must be left uncut throughout all future harvests:

Outer zone riparian leave tree requirements

Application	Leave tree spacing	Tree species	Minimum dbh required
Outer zone	Dispersed	Conifer	12" dbh or greater
Outer zone	Clumped	Conifer	12" dbh or greater

Application	Leave tree spacing	Tree species	Minimum dbh required
Protection of sensitive features	Clumped	Trees representative of the overstory including both hardwood and conifer	8" dbh or greater

The 20 riparian leave trees to be left can be reduced in number under the circumstances delineated in (c)(iv) of this subsection. The riparian leave trees must be left on the landscape according to one of the following two strategies. A third strategy is available to landowners who agree to a LWD placement plan.

(i) **Dispersal strategy.** Riparian leave trees, which means conifer species with a diameter measured at breast height (dbh) of 12 inches or greater, must be left dispersed approximately evenly throughout the outer zone. If riparian leave trees of 12" dbh or greater are not available, then the next largest conifers must be left. If conifers are not present, riparian leave trees must be left according to the clumping strategy in subsection (ii) below.

(ii) **Clumping strategy.** Riparian leave trees must be left clumped in the following way:

(A) Clump trees in or around one or more of the following **sensitive features** to the extent available within the outer zone. When clumping around sensitive features, riparian leave trees must be 8 inches dbh or greater and representative of the overstory canopy trees in or around the sensitive feature and may include both hardwood and conifer species. Sensitive features are:

- (I) Seeps and springs;
- (II) Forested wetlands;

(III) Topographic locations (and orientation) from which leave trees currently on the site will be delivered to the water;

(IV) Areas where riparian leave trees may provide windthrow protection;

(V) Small unstable, or potentially unstable, slopes not of sufficient area to be detected by other site evaluations. See WAC 222-16-050 (1)(d).

(VI) Archeological or historical sites registered with the Washington state ((officer)) department of archeology and historic preservation. See WAC 222-16-050 (1)(g); or

(VII) Sites containing evidence of Native American cairns, graves or glyptic records. See WAC 222-16-050 (1)(f).

(B) If sensitive features are not present, then clumps must be well distributed throughout the outer zone and the leave trees must be of conifer species with a dbh of 12 inches or greater. When placing clumps, the applicant will consider operational and biological concerns. Tree counts must be satisfied regardless of the presence of stream-adjacent parallel roads in the outer zone.

(iii) **Large woody debris in-channel placement strategy.** A landowner may design a LWD placement plan in cooperation with the department of fish and wildlife. The plan must be consistent with guidelines in the board manual section 26. The landowner may reduce the number of trees required to be left in the outer zone to the extent provided in the approved LWD placement plan. Reduction of trees in the outer zone must not go below a minimum of 10 trees per acre. If this strategy is chosen, a complete forest practices applica-

tion must include a copy of the WDFW approved hydraulics project approval (HPA) permit.

(iv) **Twenty riparian leave trees must be left after harvest** with the exception of the following:

(A) If a landowner agrees to implement a placement strategy, see (iii) of this subsection.

(B) If trees are left in an associated channel migration zone, the landowner may reduce the number of trees required to be left according to the following:

(I) Offsets will be measured on a basal area-for-basal area basis.

(II) Conifer in a CMZ equal to or greater than 6" dbh will offset conifer in the outer zone at a one-to-one ratio.

(III) Hardwood in a CMZ equal to or greater than 10" dbh will offset hardwood in the outer zone at a one-to-one ratio.

(IV) Hardwood in a CMZ equal to or greater than 10" dbh will offset conifer in the outer zone at a three-to-one ratio.

***(2) Western Washington protection for Type Np and Ns Waters.**

(a) An **equipment limitation zone** is a 30-foot wide zone measured horizontally from the outer edge of the bankfull width of a Type Np or Ns Water where equipment use and other forest practices that are specifically limited by these rules. It applies to all perennial and seasonal streams.

(i) On-site mitigation is required if any of the following activities exposes the soil on more than 10% of the surface area of the zone:

- (A) Ground based equipment;
- (B) Skid trails;
- (C) Stream crossings (other than existing roads); or
- (D) Cabled logs that are partially suspended.

(ii) Mitigation must be designed to replace the equivalent of lost functions especially prevention of sediment delivery. Examples include water bars, grass seeding, mulching, etc.

(iii) Nothing in this subsection (2) reduces or eliminates the department's authority to prevent actual or potential material damage to public resources under WAC 222-46-030 or 222-46-040 or any related authority to condition forest practices notifications or applications.

(b) Sensitive site and RMZs protection along Type Np Waters. Forest practices must be conducted to protect Type Np RMZs and sensitive sites as detailed below:

(i) A 50-foot, no-harvest buffer, measured horizontally from the outer edge of bankfull width, will be established along each side of the Type Np Water as follows:

Required no-harvest, 50-foot buffers on Type Np Waters.

Length of Type Np Water from the confluence of Type S or F Water	Length of 50' buffer required on Type Np Water (starting at the confluence of the Type Np and connecting water)
Greater than 1000'	500'
Greater than 300' but less than 1000'	Distance of the greater of 300' or 50% of the entire length of the Type Np Water

Length of Type Np Water from the confluence of Type S or F Water	Length of 50' buffer required on Type Np Water (starting at the confluence of the Type Np and connecting water)
Less than or equal to 300'	The entire length of Type Np Water

(ii) No timber harvest is permitted in an area within 50 feet of the outer perimeter of a soil zone perennially saturated from a headwall seep.

(iii) No timber harvest is permitted in an area within 50 feet of the outer perimeter of a soil zone perennially saturated from a side-slope seep.

(iv) No timber harvest is permitted within a 56-foot radius buffer patch centered on the point of intersection of two or more Type Np Waters.

(v) No timber harvest is permitted within a 56-foot radius buffer patch centered on a headwater spring or, in the absence of a headwater spring, on a point at the upper most extent of a Type Np Water as defined in WAC 222-16-030(3) and 222-16-031.

(vi) No timber harvest is permitted within an alluvial fan.

(vii) At least 50% of a Type Np Waters' length must be protected by buffers on both sides of the stream (2-sided buffers). Buffered segments must be a minimum of 100 feet in length. If an operating area is located more than 500 feet upstream from the confluence of a Type S or F Water and the Type Np Water is more than 1,000 feet in length, then buffer the Type Np Water according to the following table. If the percentage is not met by protecting sensitive sites listed in (b)(i) through (vii) of this subsection, then additional buffers are required on the Type Np Water to meet the requirements listed in the table.

Minimum percent of length of Type Np Waters to be buffered when more than 500 feet upstream from the confluence of a Type S or F Water

Total length of a Type Np Water upstream from the confluence of a Type S or F Water	Percent of length of Type Np Water that must be protected with a 50 foot no harvest buffer more than 500 feet upstream from the confluence of a Type S or F Water
1000 feet or less	Refer to table in this subsection (i) above
1001 - 1300 feet	19%
1301 - 1600 feet	27%
1601 - 2000 feet	33%
2001 - 2500 feet	38%
2501 - 3500 feet	42%
3501 - 5000 feet	44%
Greater than 5000 feet	45%

The landowner must select the necessary priority areas for additional 2-sided buffers according to the following priorities:

(A) Low gradient areas;

(B) Perennial water reaches of nonsedimentary rock with gradients greater than 20% in the tailed frog habitat range;

(C) Hyporheic and ground water influence zones; and

(D) Areas downstream from other buffered areas.

Except for the construction and maintenance of road crossings and the creation and use of yarding corridors, no timber harvest will be allowed in the designated priority areas. Landowners must leave additional acres equal to the number of acres (including partial acres) occupied by an existing stream-adjacent parallel road within a designated priority area buffer.

(c) None of the limitations on harvest in or around Type Np Water RMZs or sensitive sites listed in (b) of this subsection will preclude or limit:

(i) The construction and maintenance of roads for the purpose of crossing streams in WAC 222-24-030 and 222-24-050.

(ii) The creation and use of yarding corridors in WAC 222-30-060(1).

To the extent reasonably practical, the operation will both avoid creating yarding corridors or road crossings through Type Np Water RMZ or sensitive sites and associated buffers, and avoid management activities which would result in soil compaction, the loss of protective vegetation or sedimentation in perennially moist areas.

Where yarding corridors or road crossings through Type Np Water RMZs or sensitive sites and their buffers cannot reasonably be avoided, the buffer area must be expanded to protect the sensitive site by an area equivalent to the disturbed area or by providing comparable functions through other management initiated efforts.

Landowners must leave additional acres equal to the number of acres (including partial acres) occupied by an existing stream-adjacent parallel road within a Type Np Water RMZs or sensitive site buffer.

AMENDATORY SECTION (Amending WSR 05-12-119, filed 5/31/05, effective 7/1/05)

WAC 222-30-021 *Western Washington riparian management zones. These rules apply to all typed waters on forest land in Western Washington, except as provided in WAC 222-30-023. RMZs are measured horizontally from the outer edge of the bankfull width or channel migration zone, whichever is greater, and extend to the limits as described in this section. See ((the)) board manual section 7 for riparian design and layout guidelines.

*(1) **Western Washington RMZs for Type S and F Waters** have three zones: The core zone is nearest to the water, the inner zone is the middle zone, and the outer zone is furthest from the water. (See definitions in WAC 222-16-010.) RMZ dimensions vary depending on the site class of the land, the management harvest option, and the bankfull width of the stream. See ((tables for)) management options 1 and 2 below.

None of the limitations on harvest in each of the three zones listed below will preclude or limit the construction and maintenance of roads for the purpose of crossing streams in

WAC 222-24-030 and 222-24-050, or the creation and use of yarding corridors in WAC 222-30-060(1).

The shade requirements in WAC 222-30-040 must be met regardless of harvest opportunities provided in the ((inner zone)) RMZ rules. See ((the)) board manual section 1.

(a) **Core zones.** No timber harvest or construction is allowed ((in)) within the fifty-foot core zone except operations related to forest roads as detailed in subsection (1) of this section. Any trees cut for or damaged by yarding corridors in the core zone must be left on the site. Any trees cut as a result of road construction to cross a stream may be removed from the site, unless used as part of a large woody debris placement strategy or as needed to reach stand requirements.

(b) **Inner zones.** Forest practices in the inner zone must be conducted in such a way as to meet or exceed stand requirements to achieve the goal in WAC 222-30-010(2). The width of the inner zone is determined by site class, bankfull width, and management options as described in this section. Timber harvest in this zone must be consistent with the stand requirements in order to reach the desired future condition targets.

"Stand requirement" ((means a number of trees per acre, the basal area and the proportion of conifer in the combined inner zone and adjacent core zone so that the growth of the trees would meet desired future conditions. The following table defines basal area targets when the stand is 140 years old.

Site Class	Desired future condition target basal area per acre (at 140 years)
I	285 sq. ft.
II	275 sq. ft.
III	258 sq. ft.
IV	224 sq. ft.
V	190 sq. ft.

Growth modeling is necessary to calculate whether a particular stand meets stand requirement and is on a trajectory towards these desired future condition basal area target. The appropriate growth model will be based on stand characteristics and will include at a minimum, the following components: The number of trees by diameter class, the percent of conifer and hardwood, and the age of the stand. See the board manual section 7)) is the minimum size, number and proportion of conifer trees per acre as listed in the retention standards described in inner zone management options 1 and 2, and the desire future condition basal area target of three hundred twenty-five square feet per acre at age one hundred forty. The growth modeling program provided by the department must be used to calculate whether a particular stand meets the stand requirement and is on the trajectory towards the desired future condition basal area target.

The retention standard for option 1 is expressed as the minimum number of residual conifer trees per acre by average stand diameter class in the inner zone as provided in the table for option 1 located in (b)(ii)(B)(I) of this subsection. The core zone must have a conifer dominated overstory to use this option. Every ten years, the department shall evaluate and report to the board the effectiveness of the thinning

guidelines in meeting the target stand characteristics of desired future condition.

The retention standard for option 2 is expressed as the minimum number and size of conifer trees in the combined core and inner zones required to meet the basal area target as calculated by the desired future condition growth modeling program. The growth model is based on the stand characteristics of a site: The number of trees by diameter class, the percentage of conifer trees in the stand, and the age of the stand. See board manual section 7 for guidance on the proper use of the growth model.

(i) **Hardwood conversion in the inner zone.** When the existing stands in the combined core and inner zone do not meet stand requirements, no harvest is permitted in the inner zone, except in connection with hardwood conversion.

(A) The landowner may elect to convert hardwood-dominated stands in the **inner zone** to conifer-dominated stands. Harvesting and replanting shall be in accordance with the following limits:

(I) Conversion activities in the **inner zone** of any harvest unit are only allowed where all of the following are present:

- Existing stands in the ((combined core and)) inner zone do not meet ((stand requirements)) retention standards listed in (((WAC 222-30-021 (1))) (b)(ii)(B)(I) of this subsection (option 1));
 - There are fewer than ((57)) fifty-seven conifer trees per acre ((8)) eight inches or larger dbh in the conversion area;
 - There are fewer than ((100)) one hundred conifer trees per acre larger than ((4)) four inches dbh in the conversion area;
 - There is evidence (such as conifer stumps, historical photos, or a conifer understory) that the conversion area can be successfully reforested with conifer and support the development of conifer stands;
 - The landowner owns ((500)) five hundred feet upstream and ((500)) five hundred feet downstream of the harvest unit;
 - The core and inner zones contain no stream adjacent parallel roads;

• Riparian areas contiguous to the proposed harvest unit are owned by the landowner proposing to conduct the conversion activities, and meet shade requirements of WAC 222-30-040 or have a ((75)) seventy-five-foot buffer with trees at least ((40)) forty feet tall on both sides of the stream for ((500)) five hundred feet upstream and ((500)) five hundred feet downstream of the proposed harvest unit (or the length of the stream, if less);

• If the landowner has previously converted hardwood-dominated stands, then post-harvest treatments must have been performed to the satisfaction of the department.

(II) In addition to the conditions set forth above, permitted conversion activities in the **inner zone** of any harvest unit are limited by the following:

- Each continuous conversion area is not more than ((500)) five hundred feet in length; two conversion areas will be considered "continuous" unless the no-harvest area separating the two conversion areas is at least half the length of the larger of the two conversion areas.

- Type S and F (Type 1, 2, or 3) Water: Up to ((50%)) fifty percent of the inner zone area of the harvest unit on one side of the stream may be converted provided that:

◆ The landowner owns the opposite side of the stream and the landowner's riparian area on the opposite bank meets the shade requirements of WAC 222-30-040 or has a ((75)) seventy-five-foot buffer of trees at least ((40)) forty feet tall or:

◆ The landowner does not own land on the opposite side of the stream but the riparian area on the opposite bank meets the shade requirements of WAC 222-30-040 or has a ((75)) seventy-five-foot buffer of trees at least ((40)) forty feet tall.

• Not more than 25% of the inner zone of the harvest unit on both sides of a Type S or F Water may be converted if the landowner owns both sides.

(III) Where conversion is allowed in the **inner zone**, trees within the conversion area may be harvested except that:

- Conifer trees larger than ((20)) twenty inches dbh shall not be harvested;

- Not more than ((10%)) ten percent of the conifer stems greater than ((8)) eight inches dbh, exclusive of the conifer noted above, within the conversion area may be harvested; and

- The landowner must exercise reasonable care in the conduct of harvest activities to minimize damage to all residual conifer trees within the conversion area including conifer trees less than ((8)) eight inches dbh.

(IV) Following harvest in conversion areas, the landowner must:

- Reforest the conversion area with **conifer** tree species suitable to the site in accordance with the requirements of WAC 222-34-010; and

- Conduct post-harvest treatment of the site until the conifer trees necessary to meet acceptable stocking levels in WAC 222-34-010(2) have crowns above the brush or until the conversion area contains a minimum of ((150)) one hundred fifty conifer trees greater than ((8)) eight inches dbh per acre.

- Notify the department in writing within three years of the approval of the forest practices application for hardwood conversion, if the hardwood conversion has been completed.

(V) **Tracking hardwood conversion.** The purpose of tracking hardwood conversion is to determine if hardwood conversion is resulting in adequate enhancement of riparian functions toward the desired future condition while minimizing the short term impacts on functions. The department will use existing or updated data bases developed in cooperation with the Washington Hardwoods Commission to identify watershed administrative units (WAUs) with a high percentage of hardwood-dominated riparian areas and, thus have the potential for excessive hardwood conversion under these rules. The department will track the rate of conversion of hardwoods in the riparian zone: (1) Through the application process on an annual basis; and (2) at a WAU scale on a biennial basis as per WAC 222-30-120 through the adaptive management process which will develop thresholds of impact for hardwood conversion at the watershed scale.

(ii) Harvest options in the inner zone.

(A) No inner zone management. When ((the existing stands in the combined core and inner zone do not meet stand requirements)) retention standards cannot be met by either option 1 or 2, no harvest is permitted in the inner zone. When no harvest is permitted in the inner zone or the landowner chooses not to enter the inner zone, the width of core, inner and outer zones are as provided in the following table:

No inner zone management RMZ widths for Western Washington

Site Class	<u>Total RMZ width</u>	((Core zone width (measured from outer edge of bankfull width or outer edge of CMZ of water)))	<u>Combined core and inner zone width</u> (measured from outer edge of ((core-zone)) bankfull width or outer edge of CMZ))	<u>Outer zone width</u> (measured from outer edge of inner zone)		
				stream width ≤10'	stream width >10'	
I	200'	((50'))	((83')) <u>133'</u>	((100')) <u>150'</u>	67'	50'
II	170'	((50'))	((63')) <u>113'</u>	((78')) <u>128'</u>	57'	42'
III	140'	((50'))	((43')) <u>93'</u>	((55')) <u>105'</u>	47'	35'
IV	110'	((50'))	((23')) <u>73'</u>	((33')) <u>83'</u>	37'	27'
V	90'	((50'))	((10')) <u>60'</u>	((18')) <u>68'</u>	30'	22'

(B) Inner zone management. ((If trees can be harvested and removed from the inner zone because of surplus basal area consistent with the stand requirement, the harvest and removal of the trees must be undertaken consistent with one of two options:))

(I) **Option 1. (Thinning from below.)** The objective of this thinning option is to distribute ((stand requirement)) trees in the inner zone in such a way as to shorten the time required to meet large wood, fish habitat and water quality needs. This

is achieved by increasing the potential for leave trees to grow larger than they otherwise would without thinning. The total RMZ width under this option is one hundred fifty-three feet comprised of a fifty-foot wide no-harvest core zone, a sixty-foot wide inner zone and a forty-three foot wide outer zone. Thinning harvest under option 1 must ((comply with)) result in the following retention standards:

((• Residual trees left in the combined core and inner zones must meet stand requirements necessary to be on a tra-

jejectory to desired future condition. See board manual section 7 for guidelines.

- Thinning must be from below, meaning the smallest dbh trees are selected for harvest first, then progressing to successively larger diameters.

- Thinning cannot decrease the proportion of conifer in the stand.

- Shade retention to meet the shade rule must be confirmed by the landowner for any harvest inside of 75 feet from the outer edge of bankfull width or outer edge of CMZ, whichever is greater.

- The number of residual conifer trees per acre in the inner zone will equal or exceed 57.

Option 1. Thinning from below:

Site class	RMZ width	Core zone width (measured from outer edge of bankfull width or outer edge of CMZ of water)	Inner zone width (measured from outer edge of core zone)		Outer zone width (measured from outer edge of inner zone)	
			stream width $\leq 10'$	stream width $> 10'$	stream width $\leq 10'$	stream width $> 10'$
I	200'	50'	83'	100'	67'	50'
II	170'	50'	63'	78'	57'	42'
III	140'	50'	43'	55'	47'	35'
IV	110'	50'	23'	33'	37'	27'
V	90'	50'	10'	18'	30'	22')

- A minimum number of residual conifer trees per acre greater than six inches dbh as shown in the table above for option 1.

Option 1. Residual Conifer Trees Per Acre

Average Conifer Tree Diameter	Minimum Residual Conifer Trees Per Acre
<u>22"</u> and greater	<u>57</u>
<u>20"</u>	<u>60</u>
<u>18"</u>	<u>65</u>
<u>16"</u>	<u>70</u>
<u>14"</u>	<u>75</u>
<u>12"</u>	<u>80</u>
<u>10"</u>	<u>90</u>
<u>**8"</u>	<u>100</u>

**Average tree conifer diameter is based on two-inch diameter classes. For example, the eight-inch diameter class represents an average diameter between 7.0 and 8.9 inches diameter at breast height.

- The average residual stand tree diameter is the same or larger than the average stand diameter before harvest.

- The distance between the residual conifer trees is no greater than fifty feet.

- The same proportion of conifer trees is present in the stand as before harvest.

In addition to the standards listed above, the landowner must confirm that shade retention is achieved according to WAC 222-30-040 for any harvest within seventy-five feet from the outer edge of bankfull width or the outer edge of the CMZ, whichever is greater.

Hardwoods may be harvested in the inner zone when the preharvest stand does not meet the retention standards listed in the table above for option 1 and contains the required stand conditions listed above in (b)(i) of this subsection regarding hardwood conversion in the inner zone.

(II) **Option 2. ((Leaving trees closest to the water.)** Management option 2 applies only to riparian management

zones for site class I, II, and III on streams that are less than or equal to 10 feet wide and RMZs in site class I and II for streams greater than 10 feet wide. Harvest must comply with the following:

- Harvest is not permitted within 30 feet of the core zone for streams less than or equal to 10 feet wide and harvest is not permitted within 50 feet of the core zone for streams greater than 10 feet wide;

- Residual leave trees in the combined core and inner zone must meet stand requirements necessary to be on a trajectory to desired future condition. See board manual section 7 for calculating stand requirements;

- A minimum of 20 conifers per acre, with a minimum 12 inch dbh, will be retained in any portion of the inner zone where harvest occurs. These riparian leave trees will not be counted or considered towards meeting applicable stand requirements nor can the number be reduced below 20 for any reason.

- Trees are selected for harvest starting from the outer most portion of the inner zone first then progressively closer to the stream.

- If (II) of this subsection results in surplus basal area per the stand requirement, the landowner may take credit for the surplus by harvesting additional riparian leave trees required to be left in the adjacent outer zone on a basal area for basal area basis. The number of leave trees in the outer zone can be reduced only to a minimum of 10 trees per acre.)) The objective of this option is to retain an RMZ width that will maintain current riparian functions. The retention standards in this option provide sufficient residual conifer trees in the combined core and inner zones to reach the target basal area of three hundred twenty-five square feet per acre at age one hundred forty.

Inner zone harvest may occur under option 2 if the projected future basal area within the combined width of the core and inner zones exceeds the target basal area. The combined

core and inner zone width must be determined using the leaving trees closest to the water table below; the future basal area must then be calculated using the growth model program provided by the department. The model will produce a minimum inner zone floor width. (The minimum floor width extends outward from the outer edge of the fifty-foot core zone.) In the event the model produces a minimum floor width less than the minimums shown in the leaving trees closest to the water table, the appropriate widths shown in the table must be used.

Harvest is permitted under option 2 in the following order:

- If the projected basal area within the combined core and inner zones exceeds the target basal area, an even-age harvest may occur in the area between the outer edge of the minimum inner zone floor and the outer edge of the inner zone.

Harvest must start at the outermost portion of the inner zone and progress to the inner zone floor edge.

In any portion of the inner zone where an even-age harvest method occurs, at least twenty conifer trees with a minimum dbh of twelve inches must be retained. The basal area of these trees will be counted towards meeting applicable stand requirements.

- If the projected basal area within the combined core and inner zones still exceeds the target basal area, the surplus conifer may be harvested. Harvest must be accomplished sequentially as follows until either the surplus is exhausted or the limits on harvest are reached, whichever occurs first.

- Conifer trees otherwise required to be left in the outer zone may be harvested on a basal-area-for-basal-area basis; however, only a maximum of ten conifer trees per acre may be harvested in the outer zone. (Tree counts, minimum size and placement of outer zone trees are specified below in (c) of this subsection.)

- If surplus conifer trees remain, inner zone trees may be thinned within the portion of the inner zone that is more than twenty-five feet from the outer edge of the core zone. Thinning must result in all of the following conditions:

The appropriate number of residual conifer trees per acre according to the inner zone thinning table for option 1, all greater than six inches dbh;

An average stand diameter equal to or greater than the average stand diameter before thinning; and

The distance between the residual conifer trees is no greater than fifty feet.

Option 2. ((Leaving trees closest to water)) Riparian Management Zone Widths

Site class	Total RMZ width	((Core zone width (measured from outer edge of bankfull width or outer edge of CMZ of water)))	Combined core and inner zone width (measured from outer edge of bankfull width or outer edge of CMZ)				Outer zone width (measured from outer edge of inner zone)	
			stream width ≤10'	stream width ≤10'	stream width >10'	stream width >10'	stream width ≤10'	stream width >10'
			Core and inner zone width	minimum floor ((distance)) width	Core and inner zone width	minimum floor ((distance)) width		
I	200'	((50'))	((84')) 134'	((30')) 80'	((84')) 134'	((50')) 100'	66'	66'
II	170'	((50'))	((64')) 114'	((30')) 80'	((70')) 120'	((50')) 100'	56'	50'
III	140'	((50'))	((44')) 94'	((30')) 80'	((**)) 105'	((**)) 80'	46'	((**)) 35'
IV	110'				83'	80'	36'	27'
V	90'		61'		68'		29'	22'

((**Option 2 for site class III on streams >10' is not permitted because of the minimum floor (100') constraint.))

(iii) Where the basal area components of the stand requirement cannot be met within the sum of the areas in the inner and core zone due to the presence of a stream-adjacent parallel road in the inner or core zone, a determination must be made of the approximate basal area that would have been present in the inner and core zones if the road was not occupying space in the core or inner zone and the shortfall in the basal area component of the stand requirement. See definition of "stream-adjacent parallel road" in WAC 222-16-010.

(A) Trees containing basal area equal to the amount determined in (iii) of this subsection will be left elsewhere in the inner or outer zone, or if the zones contain insufficient riparian leave trees, substitute riparian leave trees will be left within the RMZ width of other Type S or F Waters in the same unit or along Type Np or Ns Waters in the same unit in addition to all other RMZ requirements on those same Type S, F, Np or Ns Waters.

(B) When the stream-adjacent road basal area calculated in (iii) of this subsection results in an excess in basal area

(above stand requirement) then the landowner may receive credit for such excess which can be applied on a basal area-by-basal area basis against the landowner's obligation to leave trees in the outer zone of the RMZ of such stream or other waters within the same unit, provided that the number of trees per acre in the outer zone is not reduced to less than ((+10)) ten trees per acre.

(C) When the basal area requirement cannot be met, as explained in (iii) of this subsection, the shortfall may be reduced through the implementation of an acceptable large woody debris placement plan. See board manual section 26 for guidelines.

(iv) If a harvest operation includes both yarding and harvest activities within the RMZ, all calculations of basal area for stand requirements will be determined as if the yarding corridors were constructed prior to any other harvest activities. If trees cut or damaged by yarding are taken from excess basal area, these trees may be removed from the inner zone. Trees cut or damaged by yarding in a unit which does not meet the basal area target of the stand requirements cannot be removed from the inner zone. Any trees cut or damaged by yarding in the core zone may not be removed.

(c) **Outer zones.** Timber harvest in the outer zone must leave ((20)) twenty riparian leave trees per acre after harvest. "**Outer zone riparian leave trees**" are trees that must be left after harvest in the outer zone in Western Washington. Riparian leave trees must be left uncut throughout all future harvests:

Outer zone riparian leave tree requirements

Application	Leave tree spacing	Tree species	Minimum dbh required
Outer zone	Dispersed	Conifer	12" dbh or greater
Outer zone	Clumped	Conifer	12" dbh or greater
Protection of sensitive features	Clumped	Trees representative of the overstory including both hardwood and conifer	8" dbh or greater

The ((20)) twenty riparian leave trees to be left can be reduced in number under the circumstances delineated in (c)(iv) of this subsection. The riparian leave trees must be left on the landscape according to one of the following two strategies. A third strategy is available to landowners who agree to a LWD placement plan.

(i) **Dispersal strategy.** Riparian leave trees, which means conifer species with a diameter measured at breast height (dbh) of ((+2)) twelve inches or greater, must be left dispersed approximately evenly throughout the outer zone. If riparian leave trees of ((+2")) twelve inches dbh or greater are not available, then the next largest conifers must be left. If conifers are not present, riparian leave trees must be left according to the clumping strategy in subsection (ii) below.

(ii) **Clumping strategy.** Riparian leave trees must be left clumped in the following way:

(A) Clump trees in or around one or more of the following **sensitive features** to the extent available within the outer zone. When clumping around sensitive features, riparian leave trees must be ((8)) eight inches dbh or greater and rep-

resentative of the overstory canopy trees in or around the sensitive feature and may include both hardwood and conifer species. Sensitive features are:

(I) Seeps and springs;

(II) Forested wetlands;

(III) Topographic locations (and orientation) from which leave trees currently on the site will be delivered to the water;

(IV) Areas where riparian leave trees may provide windthrow protection;

(V) Small unstable, or potentially unstable, slopes not of sufficient area to be detected by other site evaluations. See WAC 222-16-050 (1)(d).

(VI) Archeological or historical sites registered with the Washington state ((officer)) department of archeology and historic preservation. See WAC 222-16-050 (1)(g); or

(VII) Sites containing evidence of Native American cairns, graves or glyptic records. See WAC 222-16-050 (1)(f).

(B) If sensitive features are not present, then clumps must be well distributed throughout the outer zone and the leave trees must be of conifer species with a dbh of 12 inches or greater. When placing clumps, the applicant will consider operational and biological concerns. Tree counts must be satisfied regardless of the presence of stream-adjacent parallel roads in the outer zone.

(iii) **Large woody debris in-channel placement strategy.** A landowner may design a LWD placement plan in cooperation with the department of fish and wildlife. The plan must be consistent with guidelines in ((the)) board manual section 26. The landowner may reduce the number of trees required to be left in the outer zone to the extent provided in the approved LWD placement plan. Reduction of trees in the outer zone must not go below a minimum of ((+10)) ten trees per acre. If this strategy is chosen, a complete forest practices application must include a copy of the WDFW approved hydraulics project approval (HPA) permit.

(iv) **Twenty riparian leave trees must be left after harvest** with the exception of the following:

(A) If a landowner agrees to implement a placement strategy, see (iii) of this subsection.

(B) If trees are left in an associated channel migration zone, the landowner may reduce the number of trees required to be left according to the following:

(I) Offsets will be measured on a basal area-for-basal area basis.

(II) Conifer in a CMZ equal to or greater than ((6")) six inches dbh will offset conifer in the outer zone at a one-to-one ratio.

(III) Hardwood in a CMZ equal to or greater than ((+10")) ten inches dbh will offset hardwood in the outer zone at a one-to-one ratio.

(IV) Hardwood in a CMZ equal to or greater than ((+10")) ten inches dbh will offset conifer in the outer zone at a three-to-one ratio.

*(2) **Western Washington protection for Type Np and Ns Waters.**

(a) An **equipment limitation zone** is a ((30)) thirty-foot wide zone measured horizontally from the outer edge of the bankfull width of a Type Np or Ns Water where equipment

use and other forest practices that are specifically limited by these rules. It applies to all perennial and seasonal streams.

(i) On-site mitigation is required if any of the following activities exposes the soil on more than ((+10%)) ten percent of the surface area of the zone:

- (A) Ground based equipment;
- (B) Skid trails;
- (C) Stream crossings (other than existing roads); or
- (D) Cabled logs that are partially suspended.

(ii) Mitigation must be designed to replace the equivalent of lost functions especially prevention of sediment delivery. Examples include water bars, grass seeding, mulching, etc.

(iii) Nothing in this subsection (2) reduces or eliminates the department's authority to prevent actual or potential material damage to public resources under WAC 222-46-030 or 222-46-040 or any related authority to condition forest practices notifications or applications.

(b) **Sensitive site and RMZs protection along Type Np Waters.** Forest practices must be conducted to protect Type Np RMZs and sensitive sites as detailed below:

(i) A 50-foot, no-harvest buffer, measured horizontally from the outer edge of bankfull width, will be established along each side of the Type Np Water as follows:

Required no-harvest, 50-foot buffers on Type Np Waters.

Length of Type Np Water from the confluence of Type S or F Water	Length of 50' buffer required on Type Np Water (starting at the confluence of the Type Np and connecting water)
Greater than 1000'	500'
Greater than 300' but less than 1000'	Distance of the greater of 300' or 50% of the entire length of the Type Np Water
Less than or equal to 300'	The entire length of Type Np Water

(ii) No timber harvest is permitted in an area within ((50)) fifty feet of the outer perimeter of a soil zone perennially saturated from a headwall seep.

(iii) No timber harvest is permitted in an area within ((50)) fifty feet of the outer perimeter of a soil zone perennially saturated from a side-slope seep.

(iv) No timber harvest is permitted within a ((56)) fifty-six-foot radius buffer patch centered on the point of intersection of two or more Type Np Waters.

(v) No timber harvest is permitted within a ((56)) fifty-six-foot radius buffer patch centered on a headwater spring or, in the absence of a headwater spring, on a point at the upper most extent of a Type Np Water as defined in WAC 222-16-030(3) and 222-16-031.

(vi) No timber harvest is permitted within an alluvial fan.

(vii) At least ((50%)) fifty percent of a Type Np Waters' length must be protected by buffers on both sides of the stream ((2)) two-sided buffers). Buffered segments must be a minimum of ((400)) one hundred feet in length. If an operating area is located more than ((500)) five hundred feet upstream from the confluence of a Type S or F Water and the Type Np Water is more than ((1,000)) one thousand feet in length, then buffer the Type Np Water according to the fol-

lowing table. If the percentage is not met by protecting sensitive sites listed in (b)(i) through (vii) of this subsection, then additional buffers are required on the Type Np Water to meet the requirements listed in the table.

Minimum percent of length of Type Np Waters to be buffered when more than 500 feet upstream from the confluence of a Type S or F Water

Total length of a Type Np Water upstream from the confluence of a Type S or F Water	Percent of length of Type Np Water that must be protected with a 50 foot no harvest buffer more than 500 feet upstream from the confluence of a Type S or F Water
1000 feet or less	Refer to table in this subsection (i) above
1001 - 1300 feet	19%
1301 - 1600 feet	27%
1601 - 2000 feet	33%
2001 - 2500 feet	38%
2501 - 3500 feet	42%
3501 - 5000 feet	44%
Greater than 5000 feet	45%

The landowner must select the necessary priority areas for additional 2-sided buffers according to the following priorities:

(A) Low gradient areas;

(B) Perennial water reaches of nonsedimentary rock with gradients greater than ((20%)) twenty percent in the tailed frog habitat range;

(C) Hyporheic and ground water influence zones; and

(D) Areas downstream from other buffered areas.

Except for the construction and maintenance of road crossings and the creation and use of yarding corridors, no timber harvest will be allowed in the designated priority areas. Landowners must leave additional acres equal to the number of acres (including partial acres) occupied by an existing stream-adjacent parallel road within a designated priority area buffer.

(c) None of the limitations on harvest in or around Type Np Water RMZs or sensitive sites listed in (b) of this subsection will preclude or limit:

(i) The construction and maintenance of roads for the purpose of crossing streams in WAC 222-24-030 and 222-24-050.

(ii) The creation and use of yarding corridors in WAC 222-30-060(1).

To the extent reasonably practical, the operation will both avoid creating yarding corridors or road crossings through Type Np Water RMZ or sensitive sites and associated buffers, and avoid management activities which would result in soil compaction, the loss of protective vegetation or sedimentation in perennially moist areas.

Where yarding corridors or road crossings through Type Np Water RMZs or sensitive sites and their buffers cannot reasonably be avoided, the buffer area must be expanded to

protect the sensitive site by an area equivalent to the disturbed area or by providing comparable functions through other management initiated efforts.

Landowners must leave additional acres equal to the number of acres (including partial acres) occupied by an existing stream-adjacent parallel road within a Type Np Water RMZs or sensitive site buffer.

**WSR 08-03-011
PROPOSED RULES
DEPARTMENT OF AGRICULTURE**

[Filed January 4, 2008, 11:41 a.m.]

Continuance of WSR 07-21-155.

Preproposal statement of inquiry was filed as WSR 06-16-091.

Title of Rule and Other Identifying Information: Chapter 16-89 WAC, Sheep and goat scrapie disease control, to be retitled as "Sheep and goat diseases in Washington state." Subsequent to a public hearing held on December 20, 2007, the department is continuing the adoption date and comment period.

Date of Intended Adoption: March 18, 2008.

Submit Written Comments to: Teresa Norman, Rules Coordinator, P.O. Box 42560, Olympia, WA 98504-2560, e-mail WSDARulesComments@agr.wa.gov, fax (360) 902-2092.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Following the December 21 [20], 2007, public hearing, the department is continuing this rule proposal in order to accept additional comments.

Statutory Authority for Adoption: Chapters 16.36 and 34.05 RCW.

Statute Being Implemented: Chapter 16.36 RCW.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Washington state department of agriculture, governmental.

Name of Agency Personnel Responsible for Drafting: Dr. Paul Kohrs, Olympia, (360) 902-1835; Implementation and Enforcement: Dr. Leonard Eldridge, Olympia, (360) 902-1881.

January 3, 2008

Leonard E. Eldridge, DVM
State Veterinarian

**WSR 08-03-048
WITHDRAWAL OF PROPOSED RULES
APPLE COMMISSION**

[Filed January 11, 2008, 10:04 a.m.]

The Washington apple commission is withdrawing WSR 07-19-060 filed September 14, 2007, regarding the Washington apple commission's assessment rules, chapter 24-12 WAC.

Dave Carlson

WSR 08-03-066

PROPOSED RULES

DEPARTMENT OF HEALTH

[Filed January 14, 2008, 1:45 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 07-16-068.

Title of Rule and Other Identifying Information: New chapter 246-916 WAC, Licensure requirements for athletic trainers, in the 2007 legislative session, SSB 5503 requires licensure for athletic trainers. SSB 5503 requires the department to create and adopt rules establishing education and examination requirements for athletic trainers.

Hearing Location(s): Department of Health, Point Plaza East, 310 Israel Road S.E., Room 152, Tumwater, WA 98501, on February 29, 2008, at 2:00 p.m.

Date of Intended Adoption: March 14, 2008.

Submit Written Comments to: Jennifer Bressi, P.O. Box 47867, Olympia, WA 98504, web site <http://www3.doh.wa.gov/policyreview/>, fax (360) 664-9077, by February 22, 2008.

Assistance for Persons with Disabilities: Contact Jennifer Bressi by February 22, 2008, TTY (800) 833-6388 or 711.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of the proposed rules are to establish licensing requirements for athletic trainers. The proposed rules will define minimum education and examination requirements for licensure.

Reasons Supporting Proposal: The proposed rules define minimum education and examination that meet national standards. Rules are needed to implement the intent of the statute.

Statutory Authority for Adoption: RCW 18.250.020.

Statute Being Implemented: Chapter 18.250 RCW.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Washington state department of health, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jennifer Bressi, 310 Israel Road, Tumwater, WA 98501, (360) 236-4893.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

1. Briefly Describe the Proposed Rule: SSB 5503 passed in 2007 creates licensure for athletic trainers. The purpose of athletic trainer regulation is to ensure standards of competence and professional conduct of athletic trainers. There are approximately five hundred athletic trainers in Washington state. The proposed rules define education and examination for athletic trainer licensing requirements.

2. Is a Small Business Economic Impact Statement (SBEIS) Required for this Rule? Yes.

3. Which Industries Are Affected by this Rule? The following NAICS Code industries are expected to be affected by this proposed rule:

NAICS	Description
61131	Colleges and Universities

NAICS	Description
61121	Junior Colleges
81392	Professional Organizations
71394	Fitness & Recreation Sports Center
62211	General Medical and Surgical Hospitals
62161	Home Health Care Services

4. What Are the Costs of Complying with this Rule for Small Businesses (Those with Fifty or Fewer Employees) and for the Largest 10% of Businesses Affected?

Athletic trainers may come into contact with wounds and need to have appropriate infection control education and training. The average cost of a seven-hour course is \$0 to \$50.00. There are a variety of courses, on line courses and locations to obtain the education and training.

A national exam ensures minimum knowledge and competency of athletic training. The national examination costs between \$410 and \$430. Athletic trainers who are currently practicing have already taken this exam. Newly graduating students of athletic trainers also need to take this national exam.

5. Does the Rule Impose a Disproportionate Impact on Small Businesses? No. Passing the national exam is a part of business requirement for currently practicing athletic trainers as well as newly graduating students.

AIDS education and training are the only new costs for athletic trainers to comply with the proposed rules. The average cost of a seven-hour course for AIDS and education is \$0 to \$50. This cost range is less than the threshold compliance costs associated with these industries.

6. If the Rule Imposes a Disproportionate Impact on Small Businesses, What Efforts Were Taken to Reduce That Impact (Or Why Is it Not "Legal and Feasible" to Do So) By:

(a) Reducing, modifying, or eliminating substantive regulatory requirements? SSB 5503 requires an examination to obtain licensure. The national examination is the only examination currently available.

RCW 70.24.270 requires all health professions to obtain AIDS education.

(b) Simplifying, reducing, or eliminating record-keeping and reporting requirements? Not applicable.

(c) Reducing the frequency of inspections? Not applicable.

(d) Delaying compliance timetables? SSB 5503 become[s] effective July 1, 2008, and requires an examination to obtain licensure. The national examination is the only examination currently available.

RCW 70.24.270 requires all health professions to obtain AIDS education prior to obtaining licensure.

(e) Reducing or modifying fine schedules for noncompliance? Not applicable.

(f) Any other mitigation techniques? Not applicable.

7. How Are Small Businesses Involved in the Development of this Rule? Two rule-writing workshops and an ad hoc rule committee meeting were held and notices were emailed and mailed through the United States Postal Service to interested parties.

A copy of the statement may be obtained by contacting Jennifer Bressi, 310 Israel Road, Tumwater, WA 98501, phone (360) 236-4893, fax (360) 664-9077, e-mail jennifer.bressi@doh.wa.gov.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Jennifer Bressi, 310 Israel Road, Tumwater, WA 98501, phone (360) 236-4893, fax (360) 664-9077, e-mail jennifer.bressi@doh.wa.gov.

January 14, 2008

Mary C. Selecky

Secretary

Chapter 246-916 WAC

LICENSURE REQUIREMENTS FOR ATHLETIC TRAINERS

NEW SECTION

WAC 246-916-010 Licensure requirements. To be eligible for licensure, applicants must provide evidence of:

(1) Completion of an approved educational program as determined in WAC 246-916-020; and

(2) Attaining a passing score on the examination administered by the board of certification for athletic trainers (BOC) or its predecessor or successor organization as approved by the secretary; and

(3) Completion of seven clock hours of AIDS education and training as required in chapter 246-12 WAC, Part 8; and

(4) Any other written declarations or documentation, as required by the secretary.

NEW SECTION

WAC 246-916-020 Approved educational programs. The secretary recognizes and approves these educational programs:

(1) Courses of instruction conducted by schools that have obtained accreditation of the program in athletic training from the commission on accreditation of athletic training education (CAATE) or its predecessor or successor organization as approved by the secretary; or

(2) Completion of a bachelors or advanced degree attained prior to January 1, 2004, including at a minimum:

(a) Course work in:

(i) Health, such as, nutrition, drugs/substance abuse, health education, personal health and wellness or a course in pathology or pathophysiology or pharmacology is considered an acceptable substitution;

(ii) Human anatomy;

(iii) Kinesiology/biomechanics;

(iv) Human physiology;

(v) Physiology of exercise;

(vi) Basic and advanced athletic training; and

(b) Completion of an internship with a minimum of 1,500 practical hours under direct supervision of a National Athletic Trainers' Association Board of Certification (NATABOC) certified athletic trainer.

NEW SECTION

WAC 246-916-030 Applicants currently licensed in other states. Before licensure may be issued to any individual currently licensed to practice as an athletic trainer in another state, as provided in chapter 18.250 RCW, applicants must provide evidence of:

- (1) Having met the education requirements for licensure as defined in WAC 246-916-020; and
- (2) Attaining a passing score on the examination as defined in WAC 246-916-010; and
- (3) Verification of credential from any state; and
- (4) Completion of seven clock hours of AIDS education and training as required in chapter 246-12 WAC, Part 8; and
- (5) Any other written declarations or documentation, as required by the secretary.

NEW SECTION

WAC 246-916-040 Inactive license. A practitioner may obtain an inactive credential. Refer to the requirements of chapter 246-12 WAC, Part 4.

NEW SECTION

WAC 246-916-050 Expired license. If the license has expired, the practitioner must meet the requirements of chapter 246-12 WAC, Part 2.

**WSR 08-03-067
PROPOSED RULES
DEPARTMENT OF HEALTH**

[Filed January 14, 2008, 1:46 p.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule and Other Identifying Information: Chapter 246-231 WAC, Packaging and transportation of radioactive material.

Hearing Location(s): Department of Health, Town Center 2, 111 Israel Road, Room 530, Tumwater, WA 98504, on February 26, 2008, at 1:00 p.m.

Date of Intended Adoption: February 27, 2008.

Submit Written Comments to: Arden Scroggs, Department of Health, Office of Radiation Protection, P.O. Box 47827, Olympia, WA 98504-7827, web site <http://www3.doh.wa.gov/policyreview/>, fax (360) 236-2255, by February 26, 2008.

Assistance for Persons with Disabilities: Contact Joy Redman by February 19, 2008, TTY (800) 833-6388 or 711.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The proposed rule revision will address recent federal rule changes pertaining to transportation of radioactive materials. The proposal revises transportation procedures that pose the highest risk of exposure to workers and the general public, and structures the regulations to be more risk-informed and performance-based.

Reasons Supporting Proposal: The intent of the underlying statute is to provide protection to workers and the public from hazards associated with the use of ionizing radiation and to ensure state radiation protection regulations are compatible with federal regulations. The proposed rule meets the intent of the underlying statute by amending state regulations to be compatible with national radiation protection requirements for the safe transportation of radioactive materials.

Statutory Authority for Adoption: RCW 70.98.050.

Statute Being Implemented: RCW 70.98.050.

Rule is necessary because of federal law, 10 C.F.R. 71 as amended in 69 F.R. 3697.

Name of Proponent: Department of health, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Arden Scroggs, 111 Israel Road, Tumwater, (360) 236-3221.

No small business economic impact statement has been prepared under chapter 19.85 RCW. According to RCW 19.85.025(3) and 19.85.061, this proposed rule is exempt from the requirements of chapter 19.85 RCW because it adopts federal regulations without material change. Washington state has a formal agreement with the United States Nuclear Regulatory Commission (USNRC) to regulate nuclear materials. The agreement, reflected in RCW 70.98-050, requires the department to revise state rules to be consistent with federal rules that have been deemed "matter of compatibility" by the USNRC. This proposed revision makes state rules compatible with 10 C.F.R. 71 and is necessary to maintain agreement state status with the USNRC.

A cost-benefit analysis is not required under RCW 34.05.328. According to RCW 34.05.328 (5)(b)(iii), this proposed rule is exempt from the requirements of RCW 34.05-328 because it adopts federal regulations without material change.

January 14, 2008

Mary C. Selecky

Secretary

AMENDATORY SECTION (Amending WSR 99-15-105, filed 7/21/99, effective 8/21/99)

WAC 246-231-001 Purpose and scope. (1) This chapter establishes requirements for packaging, preparation for shipment, and transportation of radioactive material.

(2) ((These rules are in addition to)) Licensees shall also comply with applicable requirements of the United States Nuclear Regulatory Commission (USNRC), the United States Department of Transportation (USDOT), the ((U.S.)) United States Postal Service¹ (USPS), and other requirements of Title 246 WAC.

(3) The regulations in this chapter apply to any licensee authorized by specific or general license issued by the department, USNRC or an agreement state, to receive, possess, use, or transfer licensed material, if the licensee delivers that material to a carrier for transport, transports the material outside the site of usage as specified in the license, or transports that material on public highways. No provision of this chapter authorizes possession of licensed material.

¹ (*Postal Service Manual (Domestic Mail Manual)*, section 124.3, which is incorporated by reference at) *Mailing Standards of the United States Postal Service, Domestic Mail Manual*, 39 CFR 111.1.

AMENDATORY SECTION (Amending WSR 99-15-105, filed 7/21/99, effective 8/21/99)

WAC 246-231-005 Requirement for license. No ((person)) licensee shall deliver radioactive material to a carrier for transport, or transport radioactive material, except as authorized in a general or specific license issued by the department, USNRC or an agreement state, or as exempted in this chapter.

AMENDATORY SECTION (Amending WSR 99-15-105, filed 7/21/99, effective 8/21/99)

WAC 246-231-010 Definitions. The following terms are as defined here for the purpose of this chapter. To ensure compatibility with international transportation standards, all limits in this chapter are given in terms of dual units: The International System of Units (SI) followed or preceded by U.S. standard or customary units. The U.S. customary units are not exact equivalents, but are rounded to a convenient value, providing a functionally equivalent unit. For the purpose of this chapter, either unit may be used.

(1) "A1" means the maximum activity of special form radioactive material permitted in a Type A package. This value is either listed in WAC 246-231-200, Table A-1 or may be derived in accordance with the procedures prescribed in WAC 246-231-200.

(2) "A2" means the maximum activity of radioactive material, other than special form material, LSA and SCO material, permitted in a Type A package. ((These)) This value((s-are)) is either listed in WAC 246-231-200, Table A-1, or may be derived in accordance with the procedure prescribed in WAC 246-231-200.

(3) "Agreement state" means any state with which the United States Nuclear Regulatory Commission has entered into an effective agreement under section 274 b. of the Atomic Energy Act of 1954, as amended (73 Stat. 689).

(4) "Carrier" means a person engaged in the transportation of passengers or property by land or water as a common, contract, or private carrier, or by civil aircraft.

((4)) (5) "Certificate holder" means a person who has been issued a certificate of compliance or other package approval by the U.S. Nuclear Regulatory Commission (USNRC).

((5)) (6) "Certificate of compliance (CoC)" means the certificate issued by the USNRC under 10 CFR 71 Subpart D which approves the design of a package for the transportation of radioactive material.

(7) "Close reflection by water" means immediate contact by water of sufficient thickness for maximum reflection of neutrons.

((6)) (8) "Consignment" means each shipment of a package or groups of packages or load of radioactive material offered by a shipper for transport.

(9) "Containment system" means the assembly of components of the packaging intended to retain the radioactive material during transport.

((7)) (10) "Conveyance" means:

(a) For transport by public highway or rail any transport vehicle or large freight container;

(b) For transport by water any vessel, or any hold, compartment, or defined deck area of a vessel including any transport vehicle on board the vessel; and

(c) For transport by ((aircraft)) any aircraft.

((8)) (11) "Criticality safety index (CSI)" means the dimensionless number (rounded up to the next tenth) assigned to and placed on the label of a fissile material package, to designate the degree of control of accumulation of packages containing fissile material during transportation. Determination of the criticality safety index is described in WAC 246-231-094, 246-231-096, and 10 CFR 71.59.

(12) "Department" means the Washington state department of health, which has been designated as the state radiation control agency under chapter 70.98 RCW.

(13) "Deuterium" means, for the purposes of WAC 246-231-040 and 246-231-094, deuterium and any deuterium compounds, including heavy water, in which the ratio of deuterium atoms to hydrogen atoms exceeds 1:5000.

(14) "DOT" and "USDOT" mean the United States Department of Transportation. USDOT regulations are found in Code of Federal Regulations Title 49 Transportation.

(15) "Exclusive use" means the sole use by a single consignor of a conveyance for which all initial, intermediate, and final loading and unloading are carried out in accordance with the direction of the consignor or consignee. The consignor and the carrier must ensure that any loading or unloading is performed by personnel having radiological training and resources appropriate for safe handling of the consignment. The consignor must issue specific instructions, in writing, for maintenance of exclusive use shipment controls, and include them with the shipping paper information provided to the carrier by the consignor.

((9)) (16) "Fissile material" means ((plutonium-238, plutonium-239, plutonium-241, uranium-233, uranium-235)) the radionuclides uranium-233, uranium-235, plutonium-239, and plutonium-241, or any combination of these radionuclides. Fissile material means the fissile nuclides themselves, not material containing fissile nuclides. Unirradiated natural uranium and depleted uranium, and natural uranium or depleted uranium that has been irradiated in thermal reactors only are not included in this definition. Certain exclusions from fissile material controls are provided in ((USNRC regulations 10 CFR 71.53)) WAC 246-231-040.

((10)) "Highway route controlled quantity" means a quantity within a single package which exceeds:

(a) 3,000 times the A1 or A2 quantity specified in WAC 246-231-200; or

(b) 1,000 TBq (27,000 Ci) whichever is least.) (17) "Graphite" means graphite with a boron equivalent content less than 5 parts per million and density greater than 1.5 grams per cubic centimeter.

(18) "License" means a license issued by the department.

((19)) "Licensed material" means radioactive, by-product, source, or special nuclear material received, possessed, used, or transferred under a general or specific license issued by the department pursuant to the regulations in this chapter, or issued by the USNRC or an agreement state pursuant to equivalent regulations.

((20)) "Licensee" means any person who is licensed by the department under these rules and the act.

(21) "Low specific activity (LSA) material" means radioactive material with limited specific activity ((that)) which is nonfissile or is excepted under WAC 246-231-040 satisfies the descriptions and limits set forth below. Shielding materials surrounding the LSA material may not be considered in determining the estimated average specific activity of the package contents. LSA material must be in one of three groups:

(a) LSA-I.

(i) ((Ores containing only naturally occurring radionuclides (e.g., uranium, thorium) and uranium or thorium concentrates of such ores; or) Uranium and thorium ores, concentrates of uranium and thorium ores, and other ores containing naturally occurring radioactive radionuclides which are not intended to be processed for the use of these radionuclides; or

(ii) Solid unirradiated natural uranium or depleted uranium or natural thorium or their solid or liquid compounds or mixtures; or

(iii) Radioactive material((, other than fissile material,)) for which the A2 value is unlimited; or

(iv) ((Mill tailings, contaminated earth, concrete, rubble, other debris, and activated material in which the radioactive material is essentially uniformly distributed, and the average specific activity does not exceed 1E-6 A2/g.) Other radioactive material in which the activity is distributed throughout and the estimated average specific activity does not exceed 30 times the value for exempt material activity concentration determined in accordance with Appendix A.

(b) LSA-II.

(i) Water with tritium concentration up to 0.8 TBq/liter (20.0 Ci/liter); or

(ii) Other material in which the ((radioactive material)) activity is distributed throughout, and the average specific activity does not exceed 1E-4 A2/g for solids and gases, and 1E-5 A2/g for liquids.

(c) LSA-III. Solids (e.g., consolidated wastes, activated materials), excluding powders, that satisfy the requirements of the 10 CFR 71.77, in which:

(i) The radioactive material is distributed throughout a solid or a collection of solid objects, or is essentially uniformly distributed in a solid compact binding agent (such as concrete, bitumen, ceramic, etc.); and

(ii) The radioactive material is relatively insoluble, or it is intrinsically contained in a relatively insoluble material, so that, even under loss of packaging, the loss of radioactive material per package by leaching, when placed in water for seven days, would not exceed 0.1 A2; and

(iii) The estimated average specific activity of the solid does not exceed 2E-3 A2/g.

((22)) "Low toxicity alpha emitters" means natural uranium, depleted uranium, natural thorium; uranium-235,

uranium-238, thorium-232, thorium-228 or thorium-230 when contained in ores or physical or chemical concentrates or tailings; or alpha emitters with a half-life of less than ten days.

((23)) "Maximum normal operating pressure" means the maximum gauge pressure that would develop in the containment system in a period of one year under the heat condition specified in USNRC regulations ((Title)) 10 CFR 71.71 (c)(1), in the absence of venting, external cooling by an ancillary system, or operational controls during transport.

((24)) "Natural thorium" means thorium with the naturally occurring distribution of thorium isotopes (essentially 100 weight percent thorium-232).

((25)) "Normal form radioactive material" means radioactive material that has not been demonstrated to qualify as "special form radioactive material."

((26)) "Nuclear waste" as used in WAC 246-231-140 means any quantity of radioactive material (not including radiography sources being returned to the manufacturer) required to be in Type B packaging while transported to, through, or across state boundaries to a disposal site, or to a collection point for transport to a disposal site. Nuclear waste, as used in these regulations, is a special classification of radioactive waste.

((27)) "Optimum interspersed hydrogenous moderation" means the presence of hydrogenous material between packages to such an extent that the maximum nuclear reactivity results.

((28)) "Package" means the packaging together with its radioactive contents as presented for transport.

(a) "Fissile material package" or Type AF package, Type BF package, Type B(U)F package or Type B(M)F package means a fissile material packaging together with its fissile material contents.

(b) "Type A package" means a Type A packaging together with its radioactive contents. A Type A package is defined and must comply with the USDOT regulations in 49 CFR 173.

(c) "Type B package" means a Type B packaging together with its radioactive contents. On approval by the USNRC, a Type B package design is designated by the USNRC as B(U) unless the package has a maximum normal operating pressure of more than 700 kPa (100 lbs/in²) gauge or a pressure relief device that would allow the release of radioactive material to the environment under the tests specified in USNRC regulations ((Title)) 10 CFR 71.73 (hypothetical accident conditions), in which case it will receive a designation B(M). B(U) refers to the need for unilateral approval of international shipments; B(M) refers to the need for multilateral approval of international shipments. There is no distinction made in how packages with these designations may be used in domestic transportation. To determine their distinction for international transportation, see USDOT regulations in 49 CFR ((Part)) 173. A Type B package approved before September 6, 1983, was designated only as Type B. Limitations on its use are specified in ((WAC 246-231-070)) 10 CFR 71.19.

((29)) "Packaging" means the assembly of components necessary to ensure compliance with the packaging requirements of this chapter. It may consist of one or more

receptacles, absorbent materials, spacing structures, thermal insulation, radiation shielding, and devices for cooling or absorbing mechanical shocks. The vehicle, tie-down system, and auxiliary equipment may be designated as part of the packaging.

((21))) (30) "Special form radioactive material" means radioactive material that satisfies the following conditions:

(a) It is either a single solid piece or is contained in a sealed capsule that can be opened only by destroying the capsule;

(b) The piece or capsule has at least one dimension not less than 5 mm (0.2 in); and

(c) It satisfies the requirements of ((USNRC regulations)) 10 CFR 71.75. A special form encapsulation designed in accordance with the USNRC requirements 10 CFR 71.4 in effect on June 30, 1983, (see 10 CFR ((Part)) 71, revised as of January 1, 1983), and constructed before July 1, 1985, and a special form encapsulation designed in accordance with the requirements of the USNRC requirements in 10 CFR 71.4 in effect on March 31, 1996((7)) (see 10 CFR ((Part)) 71, revised as of January 1, 1983), and constructed before April 1, 1998, may continue to be used. Any other special form encapsulation must meet the specifications of this definition.

((22))) (31) "Specific activity(") of a radionuclide" means the radioactivity of the radionuclide per unit mass of that nuclide. The specific activity of a material in which the radionuclide is essentially uniformly distributed is the radioactivity per unit mass of the material.

((23))) (32) "Spent nuclear fuel" or "spent fuel" means fuel that has been withdrawn from a nuclear reactor following irradiation, has undergone at least one year's decay since being used as a source of energy in a power reactor, and has not been chemically separated into its constituent elements by reprocessing. Spent fuel includes the special nuclear material, by-product material, source material, and other radioactive materials associated with fuel assemblies.

(33) "State" means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

((24))) (34) "Surface contaminated object (SCO)" means a solid object that is not itself classed as radioactive material, but which has radioactive material distributed on any of its surfaces. SCO must be in one of two groups with surface activity not exceeding the following limits:

(a) SCO-I: A solid object on which:

(i) The nonfixed contamination on the accessible surface averaged over 300 cm² (or the area of the surface if less than 300 cm²) does not exceed 4 Bq/cm² (1E-4 microcurie/cm²) for beta and gamma and low toxicity alpha emitters, or 0.4 Bq/cm² (1E-5 microcurie/cm²) for all other alpha emitters;

(ii) The fixed contamination on the accessible surface averaged over 300 cm² (or the area of the surface if less than 300 cm²) does not exceed 4E+4 Bq/cm² (1.0 microcurie/cm²) for beta and gamma and low toxicity alpha emitters, or 4E+3 Bq/cm² (0.1 microcurie/cm²) for all other alpha emitters; and

(iii) The nonfixed contamination plus the fixed contamination on the inaccessible surface averaged over 300 cm² (or the area of the surface if less than 300 cm²) does not exceed 4E+4 Bq/cm² (1 microcurie/cm²) for beta and gamma and

low toxicity alpha emitters, or 4E+3 Bq/cm² (0.1 microcurie/cm²) for all other alpha emitters.

(b) SCO-II: A solid object on which the limits for SCO-I are exceeded and on which:

(i) The nonfixed contamination on the accessible surface averaged over 300 cm² (or the area of the surface if less than 300 cm²) does not exceed 400 Bq/cm² (1E-2 microcurie/cm²) for beta and gamma and low toxicity alpha emitters or 40 Bq/cm² (1E-3 microcurie/cm²) for all other alpha emitters;

(ii) The fixed contamination on the accessible surface averaged over 300 cm² (or the area of the surface if less than 300 cm²) does not exceed 8E+5 Bq/cm² (20 microcuries/cm²) for beta and gamma and low toxicity alpha emitters, or 8E+4 Bq/cm² (2 microcuries/cm²) for all other alpha emitters; and

(iii) The nonfixed contamination plus the fixed contamination on the inaccessible surface averaged over 300 cm² (or the area of the surface if less than 300 cm²) does not exceed 8E+5 Bq/cm² (20 microcuries/cm²) for beta and gamma and low toxicity alpha emitters, or 8E+4 Bq/cm² (2 microcuries/cm²) for all other alpha emitters.

((25))) (35) "Transport index (TI)" means the dimensionless number (rounded up to the next tenth) placed on the label of a package, to designate the degree of control to be exercised by the carrier during transportation. The transport index is the number determined ((as follows:

(a) For nonfissile material packages, the number determined by multiplying the maximum radiation level in millisievert (mSv) per hour at one meter (3.3 ft) from the external surface of the package by 100 (equivalent to the maximum radiation level in millirem per hour at one meter (3.3 ft)); or

(b) For fissile material packages, the number determined by multiplying the maximum radiation level in millisievert per hour at one meter (3.3 ft) from the external surface of the package by 100 (equivalent to the maximum radiation level in millirem per hour at one meter (3.3 ft)), or, for criticality control purposes, the number obtained as described in USNRC regulations 10 CFR 71.59, whichever is larger)) by multiplying the maximum radiation level in millisievert (mSv) per hour at 1 meter (3.3 ft) from the external surface of the package by 100 (equivalent to the maximum radiation level in millirem per hour at 1 meter (3.3 ft)).

((26))) (36) "Type A quantity" means a quantity of radioactive material, the aggregate radioactivity of which does not exceed A1 for special form radioactive material, or A2((7)) for normal form radioactive material, where A1 and A2 are given in Table A-1 of WAC 246-231-200, or may be determined by procedures described in WAC 246-231-200.

((27))) (37) "Type B quantity" means a quantity of radioactive material greater than a Type A quantity.

((28))) (38) "Unirradiated uranium" means uranium containing not more than 2E+3 Bq of plutonium per gram of uranium-235, not more than 9E+6 Bq of fission products per gram of uranium-235, and not more than 5E-3 g of uranium-236 per gram of uranium-235.

(39) Uranium—natural, depleted, enriched.

(a) "Natural uranium" means uranium with the naturally occurring distribution of uranium isotopes (approximately 0.711 weight percent uranium-235, and the remainder by weight essentially uranium-238).

(b) "Depleted uranium" means uranium containing less uranium-235 than the naturally occurring distribution of uranium isotopes.

(c) "Enriched uranium" means uranium containing more uranium-235 than the naturally occurring distribution of uranium isotopes.

AMENDATORY SECTION (Amending WSR 99-15-105, filed 7/21/99, effective 8/21/99)

WAC 246-231-030 Transportation of licensed material. (1) Each licensee who transports licensed material outside the site of usage, as specified in the license issued by the department, USNRC or an agreement state, or where transport is on public highways, or who delivers licensed material to a carrier for transport, shall comply with the applicable requirements of the USDOT regulations in 49 CFR ((Parts 170 through 189)) 107, 171 through 180, and 390 through 397, appropriate to the mode of transport.

(a) The licensee shall particularly note USDOT regulations in the following areas:

(i) Packaging—49 CFR ((Part)) 173: Subparts A ((and)), B, and I.

(ii) Marking and labeling—49 CFR ((Part)) 172: Subpart D, ((Sees.)) 172.400 through 172.407((, Sees.)); and Subpart E, 172.436 through ((172.440, and subpart E)) 172.441.

(iii) Placarding—49 CFR ((Part)) 172: Subpart F, especially ((Sees.)) 172.500 through 172.519((,)) and 172.556, and appendices B and C.

(iv) Accident reporting—49 CFR ((Part 171—Sees.)) 171.15 and 171.16.

(v) Shipping papers and emergency information—49 CFR ((Part)) 172: Subparts C and G.

(vi) Hazardous material employee training—49 CFR ((Part)) 172: Subpart H.

(vii) Security plans—49 CFR 172: Subpart I.

(viii) Hazardous material shipper/carrier registration—49 CFR ((Part)) 107: Subpart G.

(b) The licensee shall also note USDOT regulations pertaining to the following modes of transportation:

(i) Rail—49 CFR ((Part)) 174: Subparts A through D and K.

(ii) Air—49 CFR ((Part)) 175.

(iii) Vessel—49 CFR ((Part)) 176: Subparts A through F and M.

(iv) Public Highway—49 CFR ((Part)) 177 and ((Parts)) 390 through 397.

(2) If USDOT regulations are not applicable to a shipment of licensed material, the licensee shall conform to the standards and requirements of the USDOT specified in paragraph (1) of this section to the same extent as if the shipment or transportation were subject to USDOT regulations. A request for modification, waiver, or exemption from those requirements, and any notification referred to in those requirements, must be filed with, or made to, the Director, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

NEW SECTION

WAC 246-231-035 Deliberate misconduct. (1) For the purpose of this chapter, deliberate misconduct by a person means an intentional act or omission that the person knows:

(a) Would constitute a violation of a requirement, procedure, instruction, contract, purchase order, or policy; or

(b) Would, if not detected, cause a violation of any rule, regulation, or order; or any term, condition, or limitation of any license or certificate issued by the department.

(2) This section applies to any:

(a) Licensee;

(b) Certificate holder;

(c) Quality assurance program approval holder;

(d) Applicant for a license, certificate, or quality assurance program approval;

(e) Contractor (including a supplier or consultant) or subcontractor, to any person identified in (d) of this subsection; or

(f) Employee of any person identified in (a) through (e) of this subsection.

(3) A person subject to this section who knowingly provides any components, materials, or other goods or services that relate to any activities subject to these regulations may not:

(a) Engage in deliberate misconduct; or

(b) Deliberately submit to the department or to a person subject to this section information that the person knows to be incomplete or inaccurate in some respect that matters to the department.

(4) A person who violates subsection (3)(a) or (b) of this section may be subject to enforcement action in accordance with the procedures in 10 CFR 2 Subpart B.

AMENDATORY SECTION (Amending WSR 99-15-105, filed 7/21/99, effective 8/21/99)

WAC 246-231-040 Exemptions. (1) Common and contract carriers, freight forwarders, and warehouse workers who are subject to the rules and regulations of the United States Department of Transportation (49 CFR ((Parts)) 170 through 189) or the United States Postal Service (Mailing Standards of the United States Postal Service, Domestic Mail Manual, ((Section 124.3 incorporated by reference,)) 39 CFR ((111.11 (1974)) 111.1) are exempt from this chapter to the extent that they transport or store radioactive material in the regular course of their carriage for another or storage incident thereto. Common and contract carriers who are not subject to the rules and regulations of the United States Department of Transportation or United States Postal Service are subject to WAC 246-231-005 and other applicable sections of these regulations.

(2) Any licensee who delivers radioactive material to a carrier for transport, where such transport is subject to the regulations of the United States Postal Service, is exempt from the provisions of WAC 246-231-005.

(3) ((Physicians as defined in WAC 246-220-010, are exempt from the requirements of this chapter only to the extent that they transport radioactive material for emergency use in the practice of medicine.)) **Exemption of physicians.** Any physician as defined in WAC 246-220-010 who is

licensed by the department, the USNRC or an agreement state, to dispense drugs in the practice of medicine, is exempt from WAC 246-220-030 with respect to transport by the physician of licensed material for use in the practice of medicine. However, any physician operating under this exemption must be licensed under chapter 246-240 WAC, 10 CFR 35, or the equivalent agreement state regulations.

(4) **Exemption for low-level materials.** A licensee is exempt from all requirements of this chapter with respect to shipment or carriage of ((a package containing radioactive material having a specific activity not greater than 70 Bq/g (0.002 uCi/g))) the following low-level materials:

(a) Natural material and ores containing naturally occurring radionuclides that are not intended to be processed for use of these radionuclides, provided the activity concentration of the material does not exceed ten times the values specified in WAC 246-231-200, Table A-2.

(b) Materials for which the activity concentration is not greater than the activity concentration values specified in WAC 246-231-200, Table A-2, or for which the consignment activity is not greater than the limit for an exempt consignment found in WAC 246-231-200, Table A-2.

(5) ((A licensee is exempt from all requirements of this chapter, other than WAC 246-231-030 and 246-231-120, with respect to shipment or carriage of the following packages, provided the packages contain no fissile material:

(a) A package containing no more than a Type A quantity of radioactive material;

(b) A package in which the only radioactive material is low specific activity (LSA) material or surface contaminated objects (SCO), provided the external radiation level at 3 m from the unshielded material or objects does not exceed 10 mSv/h (1 rem/h); or

(c) A package transported within locations within the United States which contains only americium or plutonium in special form with an aggregate radioactivity not to exceed 20 curies.

(6) A licensee is exempt from all requirements of this chapter, other than WAC 246-231-030 and 246-231-120, with respect to shipment or carriage of low specific activity (LSA) material in group LSA I, or surface contaminated objects (SCOs) in group SCO I.) **Exemption from classification as fissile material.** Fissile material meeting at least one of the requirements in (a) through (f) of this subsection is exempt from classification as fissile material and from the fissile material package standards of 10 CFR 71.55 and 71.59, but are subject to all other requirements of this chapter, except as noted.

(a) Individual package containing 2 grams or less fissile material.

(b) Individual or bulk packaging containing 15 grams or less of fissile material provided the package has at least 200 grams of solid nonfissile material for every gram of fissile material. Lead, beryllium, graphite, and hydrogenous material enriched in deuterium may be present in the package but must not be included in determining the required mass for solid nonfissile material.

(c)(i) Low concentrations of solid fissile material commingled with solid nonfissile material, provided that:

(A) There is at least 2000 grams of solid nonfissile material for every gram of fissile material; and

(B) There is no more than 180 grams of fissile material distributed within 360 kg of contiguous nonfissile material.

(ii) Lead, beryllium, graphite, and hydrogenous material enriched in deuterium may be present in the package but must not be included in determining the required mass of solid nonfissile material.

(d) Uranium enriched in uranium-235 to a maximum of 1 percent by weight, and with total plutonium and uranium-233 content of up to 1 percent of the mass of uranium-235, provided that the mass of any beryllium, graphite, and hydrogenous material enriched in deuterium constitutes less than 5 percent of the uranium mass.

(e) Liquid solutions of uranyl nitrate enriched in uranium-235 to a maximum of 2 percent by mass, with a total plutonium and uranium-233 content not exceeding 0.002 percent of the mass of uranium, and with a minimum nitrogen to uranium atomic ratio (N/U) of 2. The material must be contained in at least a USDOT Type A package.

(f) Packages containing, individually, a total plutonium mass of not more than 1000 grams, of which not more than 20 percent by mass may consist of plutonium-239, plutonium-241, or any combination of these radionuclides.

AMENDATORY SECTION (Amending WSR 99-15-105, filed 7/21/99, effective 8/21/99)

WAC 246-231-060 General license—USNRC-approved package. (1) A general license is hereby issued to any licensee of the department, USNRC or an agreement state, to transport, or to deliver to a carrier for transport, licensed material in a package for which a license, certificate of compliance, or other approval has been issued by the ((department or)) USNRC.

(2) This general license applies only to a licensee who has a quality assurance program approved by the USNRC as satisfying the provisions of 10 CFR 71 Subpart H.

(3) This general license applies only to a licensee who:

(a) Has a copy of the certificate of compliance, or other approval of the package, and has the drawings and other documents referenced in the approval relating to the use and maintenance of the packaging and to the actions to be taken before shipment;

(b) Complies with the terms and conditions of the license, certificate, or other approval, as applicable, and the applicable requirements of ((the USNRC)) 10 CFR 71 Subparts A, G, and H; and

(c) Before the licensee's first use of the package, submits in writing to ((the)) ATTN: Document Control Desk, Director, Spent Fuel Project Office, Office of Nuclear Material Safety and Safeguards, (U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, before the licensee's first use of the package)) using an appropriate method listed in 10 CFR 71.1(a), the licensee's name and license number and the package identification number specified in the package approval.

(4) This general license applies only when the package approval authorizes use of the package under this general license.

(5) For a Type B or fissile material package, the design of which was approved by the USNRC before April 1, 1996, the general license is subject to the additional restrictions of ((NRC regulations)) 10 CFR ((71.13)) 71.19.

AMENDATORY SECTION (Amending WSR 99-15-105, filed 7/21/99, effective 8/21/99)

WAC 246-231-080 General license—DOT specification container. (1) A general license is issued to any licensee of the department, USNRC or an agreement state, to transport, or to deliver to a carrier for transport, licensed material in a specification container for fissile material or for a Type B quantity of radioactive material as specified in USDOT regulations at 49 CFR ((Parts)) 173 and 178.

(2) This general license applies only to a licensee who has a quality assurance program approved by the USNRC as satisfying the provisions of Subpart H of the USNRC regulations, 10 CFR 71.

(3) This general license applies only to a licensee who:

(a) Has a copy of the specification; and

(b) Complies with the terms and conditions of the specification and the applicable requirements of Subparts A, G, and H of ((NRC regulations)) 10 CFR 71.

(4) This general license is subject to the limitation that the specification container may not be used for a shipment to a location outside the United States, except by multilateral approval, as defined in DOT regulations at 49 CFR 173.403.

(5) This section expires October 1, 2008.

AMENDATORY SECTION (Amending WSR 99-15-105, filed 7/21/99, effective 8/21/99)

WAC 246-231-090 General license—Use of foreign approved package. (1) A general license is issued to any licensee of the department, USNRC or an agreement state, to transport, or to deliver to a carrier for transport, licensed material in a package the design of which has been approved in a foreign national competent authority certificate that has been revalidated by USDOT as meeting the applicable requirements of 49 CFR 171.12.

(2) Except as otherwise provided in this section, the general license applies only to a licensee who has a quality assurance program approved by the USNRC as satisfying the applicable provisions of 10 CFR 71 Subpart H.

(3) This general license applies only to shipments made to or from locations outside the United States.

(4) This general license applies only to a licensee who:

(a) Has a copy of the applicable certificate, the revalidation, and the drawings and other documents referenced in the certificate, relating to the use and maintenance of the packaging and to the actions to be taken before shipment; and

(b) Complies with the terms and conditions of the certificate and revalidation, and with the applicable requirements of ((the USNRC)) 10 CFR 71 Subparts A, G, and H. With respect to the quality assurance provisions of Subpart H of 10 CFR 71, the licensee is exempt from design, construction, and fabrication considerations.

NEW SECTION

WAC 246-231-094 General license—Fissile material.

(1) A general license is issued to any licensee of the department, USNRC or an agreement state, to transport fissile material, or to deliver fissile material to a carrier for transport, if the material is shipped in accordance with this section. The fissile material need not be contained in a package which meets the standards of 10 CFR 71 Subparts E and F; however, the material must be contained in a Type A package. The Type A package must also meet the USDOT requirements of 49 CFR 173.417(a).

(2) The general license applies only to a licensee who has a quality assurance program approved by the USNRC as satisfying the provisions of 10 CFR 71 Subpart H.

(3) The general license applies only when a package's contents:

(a) Contain no more than a Type A quantity of radioactive material; and

(b) Contain less than 500 total grams of beryllium, graphite, or hydrogenous material enriched in deuterium.

(4) The general license applies only to packages containing fissile material that are labeled with a CSI which:

(a) Has been determined in accordance with subsection (5) of this section;

(b) Has a value less than or equal to 10; and

(c) For a shipment of multiple packages containing fissile material, the sum of the CSIs must be less than or equal to 50 (for shipment on a nonexclusive use conveyance) and less than or equal to 100 (for shipment on an exclusive use conveyance).

(5)(a) The value for the CSI must be greater than or equal to the number calculated by the following equation:

$$\text{CSI} = 10 \left[\frac{\text{grams of } ^{235}\text{U}}{X} + \frac{\text{grams of } ^{233}\text{U}}{Y} + \frac{\text{grams of Pu}}{Z} \right].$$

(b) The calculated CSI must be rounded up to the first decimal place;

(c) The values of X, Y, and Z used in the CSI equation must be taken from WAC 246-231-200 Table-1 or Table-2, as appropriate;

(d) If Table-2 is used to obtain the value of X, then the values for the terms in the equation for uranium-233 and plutonium must be assumed to be zero; and

(e) Values from Table-1 for X, Y, and Z must be used to determine the CSI if:

(i) Uranium-233 is present in the package;

(ii) The mass of plutonium exceeds 1 percent of the mass of uranium-235;

(iii) The uranium is of unknown uranium-235 enrichment or greater than 24 weight percent enrichment; or

(iv) Substances having a moderating effectiveness (i.e., an average hydrogen density greater than H₂O) (e.g., certain hydrocarbon oils or plastics) are present in any form, except as polyethylene used for packing or wrapping.

Table-1.

Mass Limits for General License Packages Containing Mixed Quantities of Fissile Material or Uranium-235 of Unknown Enrichment per WAC 246-231-094(5)

Fissile material	Fissile material mass mixed with moderating substances having an average hydrogen density less than or equal to H ₂ O (grams)	Fissile material mass mixed with moderating substances having an average hydrogen density greater than H ₂ O ^a (grams)
²³⁵ U (X)	60	38
²³³ U (Y)	43	27
²³⁹ Pu or ²⁴¹ Pu (Z)	37	24

^aWhen mixtures of moderating substances are present, the lower mass limits shall be used if more than 15 percent of the moderating substance has an average hydrogen density greater than H₂O.

Table-2.

Mass Limits for General License Packages Containing Uranium-235 of Known Enrichment per WAC 246-231-094(5)

Uranium enrichment in weight percent of ²³⁵ U not exceeding	Fissile material mass of ²³⁵ U (X) (grams)
24	60
20	63
15	67
11	72
10	76
9.5	78
9	81
8.5	82
8	85
7.5	88
7	90
6.5	93
6	97
5.5	102
5	108
4.5	114
4	120
3.5	132
3	150
2.5	180
2	246
1.5	408
1.35	480

Table-2.

Mass Limits for General License Packages Containing Uranium-235 of Known Enrichment per WAC 246-231-094(5)

Uranium enrichment in weight percent of ²³⁵ U not exceeding	Fissile material mass of ²³⁵ U (X) (grams)
1	1,020
0.92	1,800

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 246-231-096 General license—Plutonium-beryllium special form material. (1) A general license is issued to any licensee of the department, USNRC or an agreement state, to transport fissile material in the form of plutonium-beryllium (Pu-Be) special form sealed sources, or to deliver Pu-Be sealed sources to a carrier for transport, if the material is shipped in accordance with this section. This material must be contained in a Type A package. The Type A package must also meet the USDOT requirements of 49 CFR 173.417(a).

(2) The general license applies only to a licensee who has a quality assurance program approved by the USNRC as satisfying the provisions of 10 CFR 71 Subpart H.

(3) The general license applies only when a package's contents:

(a) Contain no more than a Type A quantity of radioactive material; and

(b) Contain less than 1000 g of plutonium, provided that: Plutonium-239, plutonium-241, or any combination of these radionuclides, constitutes less than 240 g of the total quantity of plutonium in the package.

(4) The general license applies only to packages labeled with a CSI which:

(a) Has been determined in accordance with subsection (5) of this section;

(b) Has a value less than or equal to 100; and

(c) For a shipment of multiple packages containing Pu-Be sealed sources, the sum of the CSIs must be less than or equal to 50 (for shipment on a nonexclusive use conveyance) and less than or equal to 100 (for shipment on an exclusive use conveyance).

(5)(a) The value for the CSI must be greater than or equal to the number calculated by the following equation:

$$\text{CSI} = 10 \left[\frac{\text{grams of } ^{239}\text{Pu} + \text{grams of } ^{241}\text{Pu}}{24} \right]; \text{ and}$$

(b) The calculated CSI must be rounded up to the first decimal place.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 246-231-098 External radiation standards for all packages. (1) Except as provided in subsection (2) of this section, each package of radioactive materials offered for transportation must be designed and prepared for shipment so that under conditions normally incident to transportation the radiation level does not exceed 2 mSv/h (200 mrem/h) at any point on the external surface of the package, and the transport index does not exceed 10.

(2) A package that exceeds the radiation level limits specified in subsection (1) of this section must be transported by exclusive use shipment only, and the radiation levels for such shipment must not exceed the following during transportation:

(a) 2 mSv/h (200 mrem/h) on the external surface of the package, unless the following conditions are met, in which case the limit is 10 mSv/h (1000 mrem/h):

(i) The shipment is made in a closed transport vehicle;

(ii) The package is secured within the vehicle so that its position remains fixed during transportation; and

(iii) There are no loading or unloading operations between the beginning and end of the transportation;

(b) 2 mSv/h (200 mrem/h) at any point on the outer surface of the vehicle, including the top and underside of the vehicle; or in the case of a flat-bed style vehicle, at any point on the vertical planes projected from the outer edges of the vehicle, on the upper surface of the load or enclosure, if used, and on the lower external surface of the vehicle; and

(c) 0.1 mSv/h (10 mrem/h) at any point 2 meters (80 in) from the outer lateral surfaces of the vehicle (excluding the top and underside of the vehicle); or in the case of a flat-bed style vehicle, at any point 2 meters (6.6 feet) from the vertical planes projected by the outer edges of the vehicle (excluding the top and underside of the vehicle); and

(d) 0.02 mSv/h (2 mrem/h) in any normally occupied space, except that this provision does not apply to private carriers, if exposed personnel under their control wear radiation dosimetry devices in conformance with WAC 246-221-090 and 246-221-100.

(3) For shipments made under the provisions of subsection (2) of this section, the shipper shall provide specific written instructions to the carrier for maintenance of the exclusive use shipment controls. The instructions must be included with the shipping paper information.

(4) The written instructions required for exclusive use shipments must be sufficient so that, when followed, they will cause the carrier to avoid actions that will unnecessarily delay delivery or unnecessarily result in increased radiation levels or radiation exposures to transport workers or members of the general public.

AMENDATORY SECTION (Amending WSR 99-15-105, filed 7/21/99, effective 8/21/99)

WAC 246-231-100 Applicability of operating controls and procedures. (((+))) A licensee subject to this chapter, who, under a general or specific license, transports licensed material or delivers licensed material to a carrier for transport, shall ((also)) comply with the requirements of ((NRC regulations)) 10 CFR 71 Subpart G, with the quality

assurance requirements of 10 CFR 71 Subpart H, and with the general provisions of 10 CFR 71 Subpart A.

((2) Before the first use of any packaging for the shipment of licensed material:

(a) The licensee shall ascertain that there are no cracks, pinholes, uncontrolled voids, or other defects that could significantly reduce the effectiveness of the packaging;

(b) Where the maximum normal operating pressure will exceed 35 kPa (5 lbf/in²) gauge, the licensee shall test the containment system at an internal pressure at least fifty percent higher than the maximum normal operating pressure, to verify the capability of that system to maintain its structural integrity at that pressure; and

(c) The licensee shall conspicuously and durably mark the packaging with its model number, serial number, gross weight, and a package identification number assigned by NRC. Before applying the model number, the licensee shall determine that the packaging has been fabricated in accordance with the design approved by the U.S. Nuclear Regulatory Commission.))

NEW SECTION

WAC 246-231-103 Assumptions as to unknown properties. When the isotopic abundance, mass, concentration, degree of irradiation, degree of moderation, or other pertinent property of fissile material in any package is not known, the licensee shall package the fissile material as if the unknown properties have credible values that will cause the maximum neutron multiplication.

NEW SECTION

WAC 246-231-106 Preliminary determinations. Before the first use of any packaging for the shipment of licensed material:

(1) The licensee shall ascertain that there are no cracks, pinholes, uncontrolled voids, or other defects that could significantly reduce the effectiveness of the packaging;

(2) Where the maximum normal operating pressure will exceed 35 kPa (5 lbs/in²) gauge, the licensee shall test the containment system at an internal pressure at least fifty percent higher than the maximum normal operating pressure, to verify the capability of that system to maintain its structural integrity at that pressure; and

(3) The licensee shall conspicuously and durably mark the packaging with its model number, serial number, gross weight, and a package identification number assigned by the USNRC. Before applying the model number, the licensee shall determine that the packaging has been fabricated in accordance with the design approved by the U.S. Nuclear Regulatory Commission.

AMENDATORY SECTION (Amending WSR 99-15-105, filed 7/21/99, effective 8/21/99)

WAC 246-231-110 Routine determinations. Before each shipment of licensed material, the licensee shall ensure that the package with its contents satisfies the applicable requirements of this ((section)) chapter and of the license. The licensee shall determine that:

- (1) The package is proper for the contents to be shipped;
- (2) The package is in unimpaired physical condition except for superficial defects such as marks or dents;
- (3) Each closure device of the packaging, including any required gasket, is properly installed and secured and free of defects;
- (4) Any system for containing liquid is adequately sealed and has adequate space or other specified provision for expansion of the liquid;
- (5) Any pressure relief device is operable and set in accordance with written procedures;
- (6) The package has been loaded and closed in accordance with written procedures;
- (7) For fissile material, any moderator or neutron absorber, if required, is present and in proper condition;
- (8) Any structural part of the package that could be used to lift or tie down the package during transport is rendered inoperable for that purpose, unless it satisfies the design requirements of ((NRC regulations)) 10 CFR 71.45;
- (9) The level of nonfixed (removable) radioactive contamination on the external surfaces of each package offered for shipment is as low as reasonably achievable, and within the limits specified in USDOT regulations in 49 CFR 173.443;
- (10) External radiation levels around the package and around the vehicle, if applicable, will not exceed the limits specified in ((NRC regulations 10 CFR 71.47)) WAC 246-231-098 at any time during transportation; and
- (11) Accessible package surface temperatures will not exceed the limits specified in ((NRC regulations)) 10 CFR 71.43(g) at any time during transportation.

AMENDATORY SECTION (Amending WSR 99-15-105, filed 7/21/99, effective 8/21/99)

WAC 246-231-120 Air transport of plutonium. (1) Notwithstanding the provisions of any general licenses and notwithstanding any exemptions stated directly in this ((part)) chapter or included indirectly by citation of 49 CFR chapter I, as may be applicable, the licensee shall assure that plutonium in any form, whether for import, export, or domestic shipment, is not transported by air or delivered to a carrier for air transport unless:

- (a) The plutonium is contained in a medical device designed for individual human application; or
- (b) The plutonium is contained in a material in which the specific activity is ((not greater than 0.002 uCi/g (70 Bq/g) of material)) less than or equal to the activity concentration values for plutonium specified in WAC 246-231-200, Table A-2, and in which the radioactivity is essentially uniformly distributed; or
- (c) The plutonium is shipped in a single package containing no more than an A2 quantity of plutonium in any isotope or form, and is shipped in accordance with WAC 246-231-030; or
- (d) The plutonium is shipped in a package specifically authorized for the shipment of plutonium by air in the Certificate of Compliance for that package issued by the U.S. Nuclear Regulatory Commission.

(2) Nothing in subsection (1) of this section is to be interpreted as removing or diminishing the requirements of USNRC regulations 10 CFR 73.24.

(3) For a shipment of plutonium by air which is subject to subsection (1)(d) of this section, the licensee shall, through special arrangement with the carrier, require compliance with 49 CFR 175.704((, U.S. Department of Transportation)) USDOT regulations applicable to the air transport of plutonium.

NEW SECTION

WAC 246-231-133 Public inspection of application. Applications for approval of a package design under this chapter, which are submitted to the USNRC, may be made available for public inspection, in accordance with provisions of 10 CFR 2 and 9. This includes an application to amend or revise an existing package design, any associated documents and drawings submitted with the application, and any responses to USNRC requests for additional information.

NEW SECTION

WAC 246-231-136 Records. (1) Each licensee shall maintain, for a period of three years after shipment, a record of each shipment of licensed material not exempt under WAC 246-231-133, showing where applicable:

- (a) Identification of the packaging by model number and serial number;
- (b) Verification that there are no significant defects in the packaging, as shipped;
- (c) Volume and identification of coolant;
- (d) Type and quantity of licensed material in each package, and the total quantity of each shipment;
- (e) For each item of irradiated fissile material:
 - (i) Identification by model number and serial number;
 - (ii) Irradiation and decay history to the extent appropriate to demonstrate that its nuclear and thermal characteristics comply with license conditions; and
 - (iii) Any abnormal or unusual condition relevant to radiation safety;
 - (f) Date of the shipment;
 - (g) For fissile packages and for Type B packages, any special controls exercised;
 - (h) Name and address of the transferee;
 - (i) Address to which the shipment was made; and
 - (j) Results of the determinations required by WAC 246-231-110 and by the conditions of the package approval.
- (2) Each certificate holder shall maintain, for a period of three years after the life of the packaging to which they apply, records identifying the packaging by model number, serial number, and date of manufacture.
- (3) The licensee, certificate holder, and an applicant for a CoC, shall make available to the USNRC for inspection, upon reasonable notice, all records required by 10 CFR 71.91. Records are only valid if stamped, initialed, or signed and dated by authorized personnel, or otherwise authenticated.
- (4) The licensee, certificate holder, and an applicant for a CoC shall maintain sufficient written records to furnish evidence of the quality of packaging. The records to be main-

tained include results of the determinations required by WAC 246-231-106; design, fabrication, and assembly records; results of reviews, inspections, tests, and audits; results of monitoring work performance and materials analyses; and results of maintenance, modification, and repair activities. Inspection, test, and audit records must identify the inspector or data recorder, the type of observation, the results, the acceptability, and the action taken in connection with any deficiencies noted. These records must be retained for three years after the life of the packaging to which they apply.

AMENDATORY SECTION (Amending WSR 99-15-105, filed 7/21/99, effective 8/21/99)

WAC 246-231-140 Advance notification of shipment of irradiated reactor fuel and nuclear waste. (1) As specified in subsections (2), (3), and (4) of this section, each licensee shall provide advance notification to the governor of a state, or the governor's designee, of the shipment of licensed material, through, or across the boundary of the state, before the transport, or delivery to a carrier, for transport, of licensed material outside the confines of the licensee's plant or other place of use or storage.

(2) Advance notification is required under this section for shipments of irradiated reactor fuel in quantities less than that subject to advance notification requirements of USNRC regulations 10 CFR 73.37(f). Advance notification is also required under this section for shipment of licensed material, other than irradiated fuel, meeting the following three conditions:

(a) The licensed material is required by this section to be in Type B packaging for transportation;

(b) The licensed material is being transported to or across a state boundary en route to a disposal facility or to a collection point for transport to a disposal facility; and

(c) The quantity of licensed material in a single package exceeds the least of the following:

(i) 3000 times the A1 value of the radionuclides as specified in WAC 246-231-200, Table A-1 for special form radioactive material;

(ii) 3000 times the A2 value of the radionuclides as specified in WAC 246-231-200, Table A-1 for normal form radioactive material; or

(iii) 1000 TBq (27,000 Ci).

(3) Procedures for submitting advance notification.

(a) The notification must be made in writing to the office of each appropriate governor or governor's designee and to the ((Administrator of the appropriate NRC Regional Office listed in Appendix A of NRC regulations 10 CFR Part 73)) Director, Division of Nuclear Security, Office of Nuclear Security and Incident Response.

(b) A notification delivered by mail must be postmarked at least seven days before the beginning of the seven-day period during which departure of the shipment is estimated to occur.

(c) A notification delivered by ((messenger)) any other means than mail must reach the office of the governor or of the governor's designee at least four days before the beginning of the seven-day period during which departure of the shipment is estimated to occur.

(i) A list of the names and mailing addresses of the governors' designees receiving advance notification of transportation of nuclear waste was published in the *Federal Register* on June 30, 1995, (60 FR 34306).

(ii) The list will be published annually in the *Federal Register* on or about June 30 to reflect any changes in information.

(iii) A list of the names and mailing addresses of the governors' designees is available on request from the Director, Office of State Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

(d) The licensee shall retain a copy of the notification as a record for three years.

(4) Information to be furnished in advance notification of shipment. Each advance notification of shipment of irradiated reactor fuel or nuclear waste must contain the following information:

(a) The name, address, and telephone number of the shipper, carrier, and receiver of the irradiated reactor fuel or nuclear waste shipment;

(b) A description of the irradiated reactor fuel or nuclear waste contained in the shipment, as specified in the regulations of USDOT in 49 CFR 172.202 and 172.203(d);

(c) The point of origin of the shipment and the seven-day period during which departure of the shipment is estimated to occur;

(d) The seven-day period during which arrival of the shipment at state boundaries is estimated to occur;

(e) The destination of the shipment, and the seven-day period during which arrival of the shipment is estimated to occur; and

(f) A point of contact, with a telephone number, for current shipment information.

(5) Revision notice. A licensee who finds that schedule information previously furnished to a governor or governor's designee, in accordance with this section, will not be met, shall telephone a responsible individual in the office of the governor of the state or of the governor's designee and inform that individual of the extent of the delay beyond the schedule originally reported. The licensee shall maintain a record of the name of the individual contacted for three years.

(6) Cancellation notice.

(a) Each licensee who cancels an irradiated reactor fuel or nuclear waste shipment for which advance notification has been sent shall send a cancellation notice to the governor of each state or to the governor's designee previously notified, and to the ((Administrator of the appropriate NRC Regional Office listed in Appendix A of USNRC regulations 10 CFR 73)) Director, Division of Nuclear Security, Office of Nuclear Security and Incident Response.

(b) The licensee shall state in the notice that it is a cancellation and identify the advance notification that is being canceled. The licensee shall retain a copy of the notice as a record for three years.

NEW SECTION

WAC 246-231-150 Quality assurance requirements.

(1) Purpose. Quality assurance requirements apply to design, purchase, fabrication, handling, shipping, storing, cleaning,

assembly, inspection, testing, operation, maintenance, repair, and modification of components of packaging that are important to safety. As used in this chapter, "quality assurance" comprises all those planned and systematic actions necessary to provide adequate confidence that a system or component will perform satisfactorily in service. Quality assurance includes quality control, which comprises those quality assurance actions related to control of the physical characteristics and quality of the material or component to predetermined requirements. The licensee, certificate holder, and applicant for a CoC are responsible for the quality assurance requirements as they apply to design, fabrication, testing, and modification of packaging. Each licensee is responsible for the quality assurance provision which applies to its use of packaging for the shipment of licensed material subject to this chapter.

(2) Establishment of program. Each licensee, certificate holder, and applicant for a CoC shall establish, maintain, and execute a quality assurance program satisfying each of the applicable criteria in 10 CFR 71.101 through 71.137 and satisfying any specific provisions that are applicable to the licensee's activities including procurement of packaging. The licensee, certificate holder, and applicant for a CoC shall execute the applicable criteria in a graded approach to an extent that is commensurate with the quality assurance requirement's importance to safety.

(3) Approval of program. Before the use of any package for the shipment of licensed material subject to this chapter, each licensee shall obtain USNRC approval of its quality assurance program. Using an appropriate method listed in 10 CFR 71.1(a), each licensee shall file a description of its quality assurance program, including a discussion of which requirements of 10 CFR 71 Subpart H are applicable and how they will be satisfied, by submitting the description to: ATTN: Document Control Desk, Director, Spent Fuel Project Office, Office of Nuclear Material Safety and Safeguards.

(4) Radiography containers. A program for transport container inspection and maintenance limited to radiographic exposure devices, source changers, or packages transporting these devices and meeting the requirements of WAC 246-243-120(2), is deemed to satisfy the requirements of WAC 246-231-060(2) and 246-231-150(2).

NEW SECTION

WAC 246-231-160 Quality assurance organization.

(1) The licensee,² certificate holder, and applicant for a CoC shall be responsible for the establishment and execution of the quality assurance program. The licensee, certificate holder, and applicant for a CoC may delegate to others, such as contractors, agents, or consultants, the work of establishing and executing the quality assurance program, or any part of the quality assurance program, but shall retain responsibility for the program. These activities include performing the functions associated with attaining quality objectives and the quality assurance functions.

² While the term "licensee" is used in these criteria, the requirements are applicable to whatever design, fabrication, assembly, and testing of the package is accomplished with respect to a package before the time a package approval is issued.

(2) The quality assurance functions are:

(a) Assuring that an appropriate quality assurance program is established and effectively executed; and

(b) Verifying, by procedures such as checking, auditing, and inspection, that activities affecting the functions that are important to safety have been correctly performed.

(3) The persons and organizations performing quality assurance functions must have sufficient authority and organizational freedom to:

(a) Identify quality problems;

(b) Initiate, recommend, or provide solutions; and

(c) Verify implementation of solutions.

(4) The persons and organizations performing quality assurance functions shall report to a management level that assures that the required authority and organizational freedom, including sufficient independence from cost and schedule, when opposed to safety considerations, are provided.

(5) Because of the many variables involved, such as the number of personnel, the type of activity being performed, and the location or locations where activities are performed, the organizational structure for executing the quality assurance program may take various forms, provided that the persons and organizations assigned the quality assurance functions have the required authority and organizational freedom.

(6) Irrespective of the organizational structure, the individual(s) assigned the responsibility for assuring effective execution of any portion of the quality assurance program, at any location where activities subject to this chapter are being performed, must have direct access to the levels of management necessary to perform this function.

NEW SECTION

WAC 246-231-170 Quality assurance program.

(1) The licensee, certificate holder, and applicant for a CoC shall establish, at the earliest practicable time consistent with the schedule for accomplishing the activities, a quality assurance program that complies with the requirements of 10 CFR 71.101 through 71.137. The licensee, certificate holder, and applicant for a CoC shall document the quality assurance program by written procedures or instructions and shall carry out the program in accordance with those procedures throughout the period during which the packaging is used. The licensee, certificate holder, and applicant for a CoC shall identify the material and components to be covered by the quality assurance program, the major organizations participating in the program, and the designated functions of these organizations.

(2) The licensee, certificate holder, and applicant for a CoC, through its quality assurance program, shall provide control over activities affecting the quality of the identified materials and components to an extent consistent with their importance to safety, and as necessary to assure conformance to the approved design of each individual package used for the shipment of radioactive material. The licensee, certificate holder, and applicant for a CoC shall assure that activities affecting quality are accomplished under suitably controlled conditions. Controlled conditions include the use of appropriate equipment; suitable environmental conditions for accomplishing the activity, such as adequate cleanliness; and assurance that all prerequisites for the given activity have

been satisfied. The licensee, certificate holder, and applicant for a CoC shall take into account the need for special controls, processes, test equipment, tools, and skills to attain the required quality, and the need for verification of quality by inspection and test.

(3) The licensee, certificate holder, and applicant for a CoC shall base the requirements and procedures of its quality assurance program on the following considerations concerning the complexity and proposed use of the package and its components:

- (a) The impact of malfunction or failure of the item to safety;
- (b) The design and fabrication complexity or uniqueness of the item;
- (c) The need for special controls and surveillance over processes and equipment;
- (d) The degree to which functional compliance can be demonstrated by inspection or test; and
- (e) The quality history and degree of standardization of the item.

(4) The licensee, certificate holder, and applicant for a CoC shall provide for indoctrination and training of personnel performing activities affecting quality, as necessary to assure that suitable proficiency is achieved and maintained. The licensee, certificate holder, and applicant for a CoC shall review the status and adequacy of the quality assurance program at established intervals. Management of other organizations participating in the quality assurance program shall review regularly the status and adequacy of that part of the quality assurance program they are executing.

NEW SECTION

WAC 246-231-178 Handling, storage, and shipping control. The licensee, certificate holder, and applicant for a CoC shall establish measures to control, in accordance with instructions, the handling, storage, shipping, cleaning, and preservation of materials and equipment to be used in packaging to prevent damage or deterioration. When necessary for particular products, special protective environments, such as inert gas atmosphere, and specific moisture content and temperature levels must be specified and provided.

NEW SECTION

WAC 246-231-180 Inspection, test, and operating status. (1) The licensee, certificate holder, and applicant for a CoC shall establish measures to indicate, by the use of markings such as stamps, tags, labels, routing cards, or other suitable means, the status of inspections and tests performed upon individual items of the packaging. These measures must provide for the identification of items that have satisfactorily passed required inspections and tests, where necessary to preclude inadvertent bypassing of the inspections and tests.

(2) The licensee shall establish measures to identify the operating status of components of the packaging, such as tagging valves and switches, to prevent inadvertent operation.

NEW SECTION

WAC 246-231-182 Nonconforming materials, parts, or components. The licensee, certificate holder, and applicant for a CoC shall establish measures to control materials, parts, or components that do not conform to the licensee's requirements to prevent their inadvertent use or installation. These measures must include, as appropriate, procedures for identification, documentation, segregation, disposition, and notification to affected organizations. Nonconforming items must be reviewed and accepted, rejected, repaired, or reworked in accordance with documented procedures.

NEW SECTION

WAC 246-231-184 Corrective action. The licensee, certificate holder, and applicant for a CoC shall establish measures to assure that conditions adverse to quality, such as deficiencies, deviations, defective material and equipment, and nonconformance, are promptly identified and corrected. In the case of a significant condition adverse to quality, the measures must assure that the cause of the condition is determined and corrective action taken to preclude repetition. The identification of the significant condition adverse to quality, the cause of the condition, and the corrective action taken must be documented and reported to appropriate levels of management.

NEW SECTION

WAC 246-231-186 Quality assurance records. The licensee, certificate holder, and applicant for a CoC shall maintain sufficient written records to describe the activities affecting quality. The records must include the instructions, procedures, and drawings required by 10 CFR 71.111 to prescribe quality assurance activities and must include closely related specifications such as required qualifications of personnel, procedures, and equipment. The records must include the instructions or procedures which establish a records retention program that is consistent with applicable regulations and designates factors such as duration, location, and assigned responsibility. The licensee, certificate holder, and applicant for a CoC shall retain these records for three years beyond the date when the licensee, certificate holder, and applicant for a CoC last engaged in the activity for which the quality assurance program was developed. If any portion of the written procedures or instructions is superseded, the licensee, certificate holder, and applicant for a CoC shall retain the superseded material for three years after it is superseded.

NEW SECTION

WAC 246-231-188 Audits. The licensee, certificate holder, and applicant for a CoC shall carry out a comprehensive system of planned and periodic audits to verify compliance with all aspects of the quality assurance program and to determine the effectiveness of the program. The audits must be performed in accordance with written procedures or checklists by appropriately trained personnel not having direct responsibilities in the areas being audited. Audited

results must be documented and reviewed by management having responsibility in the area audited. Follow-up action, including reaudit of deficient areas, must be taken where indicated.

AMENDATORY SECTION (Amending WSR 99-15-105, filed 7/21/99, effective 8/21/99)

WAC 246-231-200 Appendix A—Determination of A1 and A2. ((I)) (1) Values of A1 and A2 for individual radionuclides, which are the ((bases)) basis for many activity limits elsewhere in these regulations, are given in this section. Table A-1. The curie (Ci) values specified are obtained by converting from the Terabecquerel (TBq) ((figure)) value. The Terabecquerel values are the regulatory standard. The curie values are ((expressed to three significant figures to assure that the difference in the TBq and Ci quantities is one tenth of one percent or less)) for information only and are not intended to be the regulatory standard. Where values of A1 or A2 are unlimited, it is for radiation control purposes only. For nuclear criticality safety, some materials are subject to controls placed on fissile material.

((H-)) (2)(a) For individual radionuclides whose identities are known, but which are not listed in this section, Table A-1, the ((determination of the values of A1 and A2 requires NRC approval, except that the values of A1 and A2 in Table A-2 may be used without obtaining approval from the NRC.))

((H-)) (2)(b) A1 and A2 values contained in this section, Table A-3 may be used. Otherwise, the licensee shall obtain prior USNRC approval of the A1 and A2 values for radionuclides not listed in this section, Table A-1, before shipping the material.

((H-)) (2)(c) For individual radionuclides whose identities are known, but which are not listed in this section, Table A-2, the exempt material activity concentration and exempt consignment activity values contained in this section, Table A-3 may be used. Otherwise, the licensee shall obtain prior USNRC approval of the exempt material activity concentration and exempt consignment activity values for radionuclides not listed in this section, Table A-2, before shipping the material.

((H-)) (2)(d) The licensee shall submit requests for prior approval, described under (a) and (b) of this subsection, to the USNRC in accordance with 10 CFR 71.1.

((H-)) (3) In the calculations of A1 and A2 for a radionuclide not in this section, Table A-1, a single radioactive decay chain, in which radionuclides are present in their naturally occurring proportions, and in which no daughter ((nuclide)) radionuclide has a half-life either longer than ten days, or longer than that of the parent ((nuclide)) radionuclide, shall be considered as a single radionuclide, and the activity to be taken into account, and the A1 or A2 value to be applied shall be those corresponding to the parent ((nuclide)) radionuclide of that chain. In the case of radioactive decay chains in which any daughter ((nuclide)) radionuclide has a half-life either longer than ten days, or greater than that of the parent ((nuclide)) radionuclide, the parent and those daughter ((nuclides)) radionuclides shall be considered as mixtures of different ((nuclides)) radionuclides.

((H-)) (4) For mixtures of radionuclides whose identities and respective activities are known, the following conditions apply:

(a) For special form radioactive material, the maximum quantity transported in a Type A package:

$$\sum_I \frac{B(i)}{A1(i)} \text{ less than or equal to } 1$$

Where B(i) is the activity of radionuclide I, and A1(i) is the A1 value for radionuclide I.

(b) For normal form radioactive material, the maximum quantity transported in a Type A package:

$$\sum_I \frac{B(i)}{A2(i)} \text{ less than or equal to } 1$$

Where B(i) is the activity of radionuclide I and ((A1(i) and)) A2(i) ((are)) is the ((A1 and)) A2 value((s)) for radionuclide I((, respectively)).

(c) Alternatively, ((an)) the A1 value for mixtures of special form material may be determined as follows:

$$A1 \text{ for mixture} = \frac{1}{\sum_I \frac{f(i)}{A1(i)}}$$

Where f(i) is the fraction of activity ((of nuclide)) for radionuclide I in the mixture and A1(i) is the appropriate A1 value for ((nuclide)) radionuclide I.

((An)) (d) Alternatively, the A2 value for mixtures of normal form material may be determined as follows:

$$A2 \text{ for mixture} = \frac{1}{\sum_I \frac{f(i)}{A2(i)}}$$

Where f(i) is the fraction of activity ((of nuclide)) for radionuclide I in the mixture and A2(i) is the appropriate A2 value for ((nuclide)) radionuclide I.

((V-)) (e) The exempt activity concentration for mixtures of nuclides may be determined as follows:

$$\text{Exempt activity concentration for mixture} = \frac{1}{\sum_I \frac{f(i)}{[A](i)}}$$

Where $f(i)$ is the fraction of activity concentration of radionuclide I in the mixture, and A is the activity concentration of material containing radionuclide I.

(f) The activity limit for an exempt consignment for mixtures of radionuclides may be determined as follows:

$$\text{Exempt consignment activity limit for mixture} = \frac{1}{\sum_i \frac{f(i)}{A(i)}}$$

Where $f(i)$ is the fraction of activity of radionuclide I in the mixture, and A is the activity limit for exempt consignments for radionuclide I.

(5) When the identity of each radionuclide is known, but the individual activities of some of the radionuclides are not known, the radionuclides may be grouped and the lowest A1 or A2 value, as appropriate, for the radionuclides in each group may be used in applying the formulas in ((paragraph IV)) subsection (4) of this section. Groups may be based on the total alpha activity and the total beta/gamma activity when these are known, using the lowest A1 or A2 values for the alpha emitters and beta/gamma emitters.

Table A-1.—A1 and A2 Values for Radionuclides

Symbol of Radionuclide	Element and atomic number	A1 (TBq)	A1 (Ci)	A2 (TBq)	A2 (Ci)	((Specific activity) (TBq/g))	((Ci/g))
Ac-225	Actinium (89)	0.6	16.2	1E-2	0.270	2.1E+3	5.8E+4
Ac-227		40	1080	2E-5	5.41E-4	2.7	7.2E+1
Ac-228		0.6	16.2	0.4	10.8	8.4E+4	2.2E+6
Ag-105	Silver (47)	2	54.1	2	54.1	1.1E+3	3.0E+4
Ag-108m		0.6	16.2	0.6	16.2	9.7E-1	2.6E+1
Ag-110m		0.4	10.8	0.4	10.8	1.8E+2	4.7E+3
Ag-111		0.6	16.2	0.5	13.5	5.8E+3	1.6E+5
Al-26	Aluminum (13)	0.4	10.8	0.4	10.8	7.0E-4	1.9E-2
Am-241	Americium (95)	2	54.1	2E-4	5.41E-3	1.3E-1	3.4
Am-242m		2	54.1	2E-4	5.41E-3	3.6E-1	1.0E+1
Am-243		2	54.1	2E-4	5.41E-3	7.4E-3	2.0E-1
Ar-37	Argon (18)	40	1080	40	1080	3.7E+3	9.9E+4
Ar-39		20	54.1	20	54.1	1.3	3.4E+1
Ar-41		0.6	16.2	0.6	16.2	1.5E+6	4.2E+7
Ar-42		0.2	5.41	0.2	5.41	9.6	2.6E+2
As-72	Arsenic (33)	0.2	5.41	0.2	5.41	6.2E+4	1.7E+6
As-73		40	1080	40	1080	8.2E+2	2.2E+4
As-74		+	27.0	0.5	13.5	3.7E+3	9.9E+4
As-76		0.2	5.41	0.2	5.41	5.8E+4	1.6E+6
As-77		20	54.1	0.5	13.5	3.9E+4	1.0E+6
At-211	Astatine (85)	30	81.1	2	54.1	7.6E+4	2.1E+6
Au-193	Gold (79)	6	162	6	162	3.4E+4	9.2E+5
Au-194		+	27.0	+	27.0	1.5E+4	4.1E+5
Au-195		10	270	10	270	1.4E+2	3.7E+3
Au-196		2	54.1	2	54.1	4.0E+3	1.1E+5
Au-198		3	81.1	0.5	13.5	9.0E+3	2.4E+5
Au-199		10	270	0.9	24.3	7.7E+3	2.1E+5
Ba-131	Barium (56)	2	54.1	2	54.1	3.1E+3	8.4E+4
Ba-133m		10	270	0.9	24.3	2.2E+4	6.1E+5
Ba-133		3	81.1	3	81.1	9.4	2.6E+2
Ba-140		0.4	10.8	0.4	10.8	2.7E+3	7.3E+4
Be-7	Beryllium (4)	20	54.1	20	54.1	1.3E+4	3.5E+5
Be-10		20	54.1	0.5	13.5	8.3E-4	2.2E-2
Bi-205	Bismuth (83)	0.6	16.2	0.6	16.2	1.5E-3	4.2E+4
Bi-206		0.3	8.11	0.3	8.11	3.8E+3	1.0E+5
Bi-207		0.7	18.9	0.7	18.9	1.9	5.2E+1
Bi-210m		0.3	8.11	3E-2	0.811	2.1E-5	5.7E-4
Bi-210		0.6	16.2	0.5	13.5	4.6E+3	1.2E+5
Bi-212		0.3	8.11	0.3	8.11	5.4E+5	1.5E+7
Bk-247	Berkelium (97)	2	54.1	2E-4	5.41E-3	3.8E-2	1.0

Symbol of Radionuclide	Element and atomic number	((Specific activity)					
		A1 (TBq)	A1 (Ci)	A2 (TBq)	A2 (Ci)	(TBq/g)	(Ci/g)
Bk-249		40	1080	8E-2	2.1E	6.1E+1	1.6E+3
Br-76	Bromine (35)	0.3	8.11	0.3	8.11	9.4E+4	2.5E+6
Br-77		3	81.1	3	81.1	2.6E+4	7.1E+5
Br-82		0.4	10.8	0.4	10.8	4.0E+4	1.1E+6
C-11	Carbon (6)	+	27	0.5	13.5	3.1E+7	8.4E+8
C-14		40	1080	2	54.1	1.6E-1	4.5
Ca-41	Calcium (20)	40	1080	40	1080	3.1E-3	8.5E-2
Ca-45		40	1080	0.9	24.3	6.6E+2	1.8E+4
Ca-47		0.9	24.3	0.5	13.5	2.3E+4	6.1E+5
Cd-109	Cadmium (48)	40	1080	4	27.0	9.6E+1	2.6E+3
Cd-113m		20	54.1	9E-2	2.43	8.3	2.2E+2
Cd-115m		0.3	8.11	0.3	8.11	9.4E+2	2.5E+4
Cd-115		4	108	0.5	13.5	1.9E+4	5.1E+5
Ce-139	Cerium (58)	6	162	6	162	2.5E+2	6.8E+3
Ce-141		40	270	0.5	13.5	1.1E+3	2.8E+4
Ce-143		0.6	16.2	0.5	13.5	2.5E+4	6.6E+5
Ce-144		0.2	5.41	0.2	5.41	1.2E+2	3.2E+3
Cf-248	Californium (98)	30	811	3E-3	8.11E-2	5.8E+1	1.6E+3
Cf-249		2	54.1	2E-4	5.41E-3	1.5E-1	4.1
Cf-250		5	135	5E-4	1.35E-2	4.0	1.1E+2
Cf-251		2	54.1	2E-4	5.41E-3	5.9E-2	1.6
Cf-252		0.1	2.70	1E-3	2.70E-2	2.0E+1	5.4E+2
Cf-253		40	1080	6E-2	1.62	1.1E+3	2.9E+4
Cf-254		3E-3	8.11E-2	6E-4	1.62E-2	3.1E+2	8.5E+3
Cl-36	Chlorine (17)	20	54.1	0.5	13.5	1.2E-3	3.3E-2
Cl-38		0.2	5.41	0.2	5.41	4.9E+6	1.3E+8
Cm-240	Curium (96)	40	1080	2E-2	0.541	7.5E+2	2.0E+4
Cm-241		2	54.1	0.9	24.3	6.1E+2	1.7E+4
Cm-242		40	1080	1E-2	0.270	1.2E+2	3.3E+3
Cm-243		3	81.1	3E-4	8.11E-3	1.9	5.2E+1
Cm-244		4	108	4E-4	1.08E-2	3.0	8.1E+1
Cm-245		2	54.1	2E-4	5.41E-3	6.4E-3	1.7E+1
Cm-246		2	54.1	2E-4	5.41E-3	1.1E-2	3.1E-1
Cm-247		2	54.1	2E-4	5.41E-3	3.4E-6	9.3E-5
Cm-248		4E-2	1.08	5E-5	1.35E-3	1.6E-4	4.2E-3
Co-55	Cobalt (27)	0.5	13.5	0.5	13.5	1.1E+5	3.1E+6
Co-56		0.3	8.11	0.3	8.11	1.1E+3	3.0E+4
Co-57		8	216	8	216	3.1E+2	8.4E+3
Co-58m		40	1080	40	1080	2.2E+5	5.9E+6
Co-58		4	27.0	4	27.0	1.2E+3	3.2E+4
Co-60		0.4	10.8	0.4	10.8	4.2E+1	1.1E+3
Cr-51	Chromium (24)	30	811	30	811	3.4E+3	9.2E+4
Cs-129	Cesium (55)	4	108	4	108	2.8E+4	7.6E+5
Cs-131		40	1080	40	1080	3.8E+3	1.0E+5
Cs-132		+	27.0	+	27.0	5.7E+3	1.5E+5
Cs-134m		40	1080	9	24.3	3.0E+5	8.0E+6
Cs-134		0.6	16.2	0.5	13.5	4.8E+1	1.3E+3
Cs-135		40	1080	0.9	24.3	4.3E-5	1.2E-3
Cs-136		0.5	13.5	0.5	13.5	2.7E+3	7.3E+4
Cs-137		2	54.1	0.5	13.5	3.2	8.7E+1
Cu-64	Copper (29)	5	135	0.9	24.3	1.4E+5	3.9E+6
Cu-67		9	243	0.9	24.3	2.8E+4	7.6E+5
Dy-159	Dysprosium (66)	20	54.1	20	54.1	2.1E+2	5.7E+3
Dy-165		0.6	16.2	0.5	13.5	3.0E+5	8.2E+6

Symbol of Radionuclide	Element and atomic number	A1 (TBq)	A1 (Ci)	A2 (TBq)	A2 (Ci)	(TBq/g)	((Specific activity) (Ci/g))
Dy-166		0.3	8.11	0.3	8.11	8.6E+3	2.3E+5
Er-169	Erbium (68)	40	1080	0.9	24.3	3.1E+3	8.3E+4
Er-171		0.6	16.2	0.5	13.5	9.0E+4	2.4E+6
Es-253	Einsteinium (99)a	200	5400	2E-2	5.41E-1
Es-254		30	811	3E-3	8.11E-2
Es-254m		0.6	16.2	0.4	10.8
Es-255							
Eu-147	Europium (63)	2	54.1	2	54.1	1.4E+3	3.7E+4
Eu-148		0.5	13.5	0.5	13.5	6.0E+2	1.6E+4
Eu-149		20	541	20	541	3.5E+2	9.4E+3
Eu-150		0.7	18.9	0.7	18.9	6.1E+4	1.6E+6
Eu-152m		0.6	16.2	0.5	13.5	8.2E+4	2.2E+6
Eu-152		0.9	24.3	0.9	24.3	6.5	1.8E+2
Eu-154		0.8	21.6	0.5	13.5	9.8	2.6E+2
Eu-155		20	541	2	54.1	1.8E+1	4.9E+2
Eu-156		0.6	16.2	0.5	13.5	2.0E+3	5.5E+4
F-18	Fluorine (9)	4	27.0	0.5	13.5	3.5E+6	9.5E+7
Fe-52	Iron (26)	0.2	5.41	0.2	5.41	2.7E+5	7.3E+6
Fe-55		40	1080	40	1080	8.8E+1	2.4E+3
Fe-59		0.8	21.6	0.8	21.6	1.8E+3	5.0E+4
Fe-60		40	1080	0.2	5.41	7.4E-4	2.0E-2
Fm-255	Fermium (100)b	40	1080	0.8	21.6		
Fm-257		10	270	8E-3	2.16E-1		
Ga-67	Gallium (31)	6	162	6	162	2.2E+4	6.0E+5
Ga-68		0.3	8.11	0.3	8.11	1.5E+6	4.1E+7
Ga-72		0.4	10.8	0.4	10.8	1.1E+5	3.1E+6
Gd-146	Gadolinium (64)	0.4	10.8	0.4	10.8	6.9E+2	1.9E+4
Gd-148		3	81.1	3E-4	8.11E-3	1.2	3.2E+1
Gd-153		10	270	5	13.5	1.3E+2	3.5E+3
Gd-159		4	108	0.5	13.5	3.9E+4	1.1E+6
Ge-68	Germanium (32)	0.3	8.11	0.3	8.11	2.6E+2	7.1E+3
Ge-71		40	1080	40	1080	5.8E+3	1.6E+5
Ge-77		0.3	8.11	0.3	8.11	1.3E+5	3.6E+6
H-3	Hydrogen (1)	See T-Tritium					
Hf-172	Hafnium (72)	0.5	13.5	0.3	8.11	4.1E+1	1.1E+3
Hf-175		3	81.1	3	81.1	3.9E+2	1.1E+4
Hf-181		2	54.1	0.9	24.3	6.3E+2	1.7E+4
Hf-182		4	108	3E-2	0.811	8.1E-6	2.2E-4
Hg-194	Mercury (80)	4	27.0	4	27.0	1.3E-1	3.5
Hg-195m		5	135	5	135	1.5E+4	4.0E+5
Hg-197m		10	270	0.9	24.3	2.5E+4	6.7E+5
Hg-197		10	270	10	270	9.2E+3	2.5E+5
Hg-203		4	108	0.9	24.3	5.1E+2	1.4E+4
Ho-163	Holmium (67)	40	1080	40	1080	2.7	7.6E+1
Ho-166m		0.6	16.2	0.3	8.11	6.6E-2	1.8
Ho-166		0.3	8.11	0.3	8.11	2.6E+4	7.0E+5
I-123	Iodine (53)	6	162	6	162	7.1E+4	1.9E+6
I-124		0.9	24.3	0.9	24.3	9.3E+3	2.5E+5
I-125		20	541	2	54.1	6.4E+2	1.7E+4
I-126		2	54.1	0.9	24.3	2.9E+3	8.0E+4
I-129		Unlimited	Unlimited	Unlimited	Unlimited	6.5E-6	1.8E-4
I-131		3	81.1	0.5	13.5	4.6E+3	1.2E+5
I-132		0.4	10.8	0.4	10.8	3.8E+5	1.0E+7
I-133		0.6	16.2	0.5	13.5	4.2E+4	1.1E+6

Symbol of Radionuclide	Element and atomic number	A1 (TBq)	A1 (Ci)	A2 (TBq)	A2 (Ci)	(TBq/g)	((Specific activity) (Ci/g))
T-134		0.3	8.11	0.3	8.11	9.9E+5	2.7E+7
T-135		0.6	16.2	0.5	13.5	1.3E+5	3.5E+6
In-111	Indium (49)	2	54.1	2	54.1	1.5E+4	4.2E+5
In-113m		4	108	4	108	6.2E+5	1.7E+7
In-114m		0.3	8.11	0.3	8.11	8.6E+2	2.3E+4
In-115m		6	162	0.9	24.3	2.2E+5	6.1E+6
Ir-189	Iridium (77)	10	270	10	270	1.9E+3	5.2E+4
Ir-190		0.7	18.9	0.7	18.9	2.3E+3	6.2E+4
Ir-192		1	27.0	0.5	13.5	3.4E+2	9.2E+3
Ir-193m		10	270	10	270	2.4E+3	6.4E+4
Ir-194		0.2	5.41	0.2	5.41	3.1E+4	8.4E+5
K-40	Potassium (19)	0.6	16.2	0.6	16.2	2.4E-7	6.4E-6
K-42		0.2	5.41	0.2	5.41	2.2E+5	6.0E+6
K-43		1.0	27.0	0.5	13.5	1.2E+5	3.3E+6
Kr-81	Krypton (36)	40	1080	40	1080	7.8E-4	2.1E-2
Kr-85m		6	162	6	162	3.0E+5	8.2E+6
Kr-85		20	54.1	10	270	1.5E+1	3.9E+2
Kr-87		0.2	5.41	0.2	5.41	1.0E+6	2.8E+7
La-137	Lanthanum (57)	40	1080	2	54.1	1.6E-3	4.4E-2
La-140		0.4	10.8	0.4	10.8	2.1E+4	5.6E+5
Lu-172	Lutetium (71)	0.5	13.5	0.5	13.5	4.2E+3	1.1E+5
Lu-173		8	216	8	216	5.6E+1	1.5E+3
Lu-174m		20	54.1	8	216	2.0E+2	5.3E+3
Lu-174		8	216	4	108	2.3E+1	6.2E+2
Lu-177		30	811	0.9	24.3	4.1E+3	1.1E+5
MFP		(6) For mixed fission products, use formula for mixtures or Table A-2					
Mg-28	Magnesium (12)	0.2	5.41	0.2	5.41	2.0E+5	5.4E+6
Mn-52	Manganese (25)	0.3	8.11	0.3	8.11	1.6E+4	4.4E+5
Mn-53		Unlimited	Unlimited	Unlimited	Unlimited	6.8E-5	1.8E-3
Mn-54		1	27.0	1	27.0	2.9E+2	7.7E+3
Mn-56		0.2	5.41	0.2	5.41	8.0E+5	2.2E+7
Mo-93	Molybdenum (42)	40	1080	7	189	4.1E-2	1.1
Mo-99		0.6	16.2	0.5	13.5e	1.8E+4	4.8E+5
N-13	Nitrogen (7)	0.6	16.2	0.5	13.5	5.4E+7	1.5E+9
Na-22	Sodium (11)	0.5	13.5	0.5	13.5	2.3E+2	6.3E+3
Na-24		0.2	5.41	0.2	5.41	3.2E+5	8.7E+6
Nb-92m	Niobium (41)	0.7	18.9	0.7	18.9	5.2E+3	1.4E+5
Nb-93m		40	1080	6	162	8.8	2.4E+2
Nb-94		0.6	16.2	0.6	16.2	6.9E-3	1.9E-1
Nb-95		1	27.0	1	27.0	1.5E+3	3.9E+4
Nb-97		0.6	16.2	0.5	13.5	9.9E+5	2.7E+7
Nd-147	Neodymium (60)	4	108	0.5	13.5	3.0E+3	8.1E+4
Nd-149		0.6	16.2	0.5	13.5	4.5E+5	1.2E+7
Ni-59	Nickel (28)	40	1080	40	1080	3.0E-3	8.0E-2
Ni-63		40	1080	30	811	2.1	5.7E+1
Ni-65		0.3	8.11	0.3	8.11	7.1E+5	1.9E+7
Np-235	Neptunium (93)	40	1080	40	1080	5.2E+1	1.4E+3
Np-236		7	189	1E-3	2.70E-2	4.7E-4	1.3E-2
Np-237		2	54.1	2.0E-4	5.41E-3	2.6E-5	7.1E-4
Np-239		6	162	0.5	13.5	8.6E+3	2.3E+5
Os-185	Osmium (76)	1	27.0	1	27.0	2.8E+2	7.5E+3
Os-191m		40	1080	40	1080	4.6E+4	1.3E+6
Os-191		10	270	0.9	24.3	1.6E+3	4.4E+4
Os-193		0.6	16.2	0.5	13.5	2.0E+4	5.3E+5

Symbol of Radionuclide	Element and atomic number	A1 (TBq)	A1 (Ci)	A2 (TBq)	A2 (Ci)	(TBq/g)	((Specific activity) (Ci/g))
Os-194		0.2	5.41	0.2	5.41	1.1E+1	3.1E+2
P-32	Phosphorus (15)	0.3	8.11	0.3	8.11	1.1E+4	2.9E+5
P-33		40	1080	0.9	24.3	5.8E+3	1.6E+5
Pa-230	Protactinium (91)	2	54.1	0.1	2.70	1.2E+3	3.3E+4
Pa-231		0.6	16.2	6E-5	1.62E-3	1.7E-3	4.7E-2
Pa-233		5	135	0.9	24.3	7.7E+2	2.1E+4
Pb-201	Lead (82)	+	27.0	+	27.0	6.2E+4	1.7E+6
Pb-202		40	1080	2	54.1	1.2E-4	3.4E-3
Pb-203		3	81.1	3	81.1	1.1E+4	3.0E+5
Pb-205		Unlimited	Unlimited	Unlimited	Unlimited	4.5E-6	1.2E-4
Pb-210		0.6	16.2	9E-3	0.243	2.8	7.6E+1
Pb-212		0.3	8.11	0.3	8.11	5.1E+4	1.4E+6
Pd-103	Palladium (46)	40	1080	40	1080	2.8E+3	7.5E+4
Pd-107		Unlimited	Unlimited	Unlimited	Unlimited	1.9E-5	5.1E-4
Pd-109		0.6	16.2	0.5	13.5	7.9E+4	2.1E+6
Pm-143	Promethium (61)	3	81.1	3	81.1	1.3E+2	3.4E+3
Pm-144		0.6	16.2	0.6	16.2	9.2E+1	2.5E+3
Pm-145		30	811	7	189	5.2	1.4E+2
Pm-147		40	1080	0.9	24.3	3.4E+1	9.3E+2
Pm-148m		0.5	13.5	0.5	13.5	7.9E+2	2.1E+4
Pm-149		0.6	16.2	0.5	13.5	1.5E+4	4.0E+5
Pm-151		3	81.1	0.5	13.5	2.7E+4	7.3E+5
Po-208	Polonium (84)	40	1080	2E-2	0.541	2.2E+1	5.9E+2
Po-209		40	1080	2E-2	0.541	6.2E-1	1.7E+1
Po-210		40	1080	2E-2	0.541	1.7E+2	4.5E+3
Pr-142	Praseodymium (59)	0.2	5.41	0.2	5.41	4.3E+4	1.2E+6
Pr-143		4	108	0.5	13.5	2.5E+3	6.7E+4
Pt-188	Platinum (78)	0.6	16.2	0.6	16.2	2.5E+3	6.8E+4
Pt-191		3	81.1	3	81.1	8.7E+3	2.4E+5
Pt-193m		40	1080	9	243	5.8E+3	1.6E+5
Pt-193		40	1080	40	1080	1.4	3.7E+1
Pt-195m		10	270	2	54.1	6.2E+3	1.7E+5
Pt-197m		40	270	0.9	24.3	3.7E+5	1.0E+7
Pt-197		20	541	0.5	13.5	3.2E+4	8.7E+5
Pu-236	Plutonium (94)	7	189	7E-4	1.89E-2	2.0E+1	5.3E+2
Pu-237		20	541	20	541	4.5E+2	1.2E+4
Pu-238		2	54.1	2E-4	5.41E-3	6.3E-1	1.7E+1
Pu-239		2	54.1	2E-4	5.41E-3	2.3E-3	6.2E-2
Pu-240		2	54.1	2E-4	5.41E-3	8.4E-3	2.3E-1
Pu-241		40	1080	1E-2	0.270	3.8	1.0E+2
Pu-242		2	54.1	2E-4	5.41E-3	1.5E-4	3.9E-3
Pu-244		0.3	8.11	2E-4	5.41E-3	6.7E-7	1.8E-5
Ra-223	Radium (88)	0.6	16.2	3E-2	0.811	1.9E+3	5.1E+4
Ra-224		0.3	8.11	6E-2	1.62	5.9E+3	1.6E+5
Ra-225		0.6	16.2	2E-2	0.541	1.5E+3	3.9E+4
Ra-226		0.3	8.11	2E-2	0.541	3.7E-2	1.0
Ra-228		0.6	16.2	4E-2	1.08	1.0E+1	2.7E+2
Rb-81	Rubidium (37)	2	54.1	0.9	24.3	3.1E+5	8.4E+6
Rb-83		2	54.1	2	54.1	6.8E+2	1.8E+4
Rb-84		+	27.0	0.9	24.3	1.8E+3	4.7E+4
Rb-86		0.3	8.11	0.3	8.11	3.0E+3	8.1E+4
Rb-87		Unlimited	Unlimited	Unlimited	Unlimited	3.2E-9	8.6E-8
Rb (natural)		Unlimited	Unlimited	Unlimited	Unlimited	6.7E+6	1.8E+8
Re-183	Rhenium (75)	5	135	5	135	3.8E+2	1.0E+4

Symbol of Radionuclide	Element and atomic number	A1 (TBq)	A1 (Ci)	A2 (TBq)	A2 (Ci)	(TBq/g)	((Specific activity) (Ci/g))
Re-184m		3	81.1	3	81.1	1.6E+2	4.3E+3
Re-184		4	27.0	4	27.0	6.9E+2	1.9E+4
Re-186		4	108	0.5	13.5	6.9E+3	1.9E+5
Re-187		Unlimited	Unlimited	Unlimited	Unlimited	1.4E-9	3.8E-8
Re-188		0.2	5.41	0.2	5.41	3.6E+4	9.8E+5
Re-189		4	108	0.5	13.5	2.5E+4	6.8E+5
Re (natural)		Unlimited	Unlimited	Unlimited	Unlimited		2.4E-8
Rh-99	Rhodium (45)	2	54.1	2	54.1	3.0E+3	8.2E+4
Rh-101		4	108	4	108	4.1E+1	1.1E+3
Rh-102m		2	54.1	0.9	24.3	2.3E+2	6.2E+3
Rh-102		0.5	13.5	0.5	13.5	4.5E+1	1.2E+3
Rh-103m		40	1080	40	1080	1.2E+6	3.3E+7
Rh-105		10	270	0.9	24.3	3.1E+4	8.4E+5
Rn-222	Radon (86)	0.2	5.41	4E-3	0.108	5.7E+3	1.5E+5
Ru-97	Ruthenium (44)	4	108	4	108	1.7E+4	4.6E+5
Ru-103		2	54.1	0.9	24.3	1.2E+3	3.2E+4
Ru-105		0.6	16.2	0.5	13.5	2.5E+5	6.7E+6
Ru-106		0.2	5.41	0.2	5.41	1.2E+2	3.3E+3
S-35	Sulfur (16)	40	1080	2	54.1	1.6E+3	4.3E+4
Sb-122	Antimony (51)	0.3	8.11	0.3	8.11	1.5E+4	4.0E+5
Sb-124		0.6	16.2	0.5	13.5	6.5E+2	1.7E+4
Sb-125		2	54.1	0.9	24.3	3.9E+1	1.0E+3
Sb-126		0.4	10.8	0.4	10.8	3.1E+3	8.4E+4
Se-44	Scandium (21)	0.5	13.5	0.5	13.5	6.7E+5	1.8E+7
Se-46		0.5	13.5	0.5	13.5	1.3E+3	3.4E+4
Se-47		9	243	0.9	24.3	3.1E+4	8.3E+5
Se-48		0.3	8.11	0.3	8.11	5.5E+4	1.5E+6
Se-75	Selenium (34)	3	81.1	3	81.1	5.4E+2	1.5E+4
Se-79		40	1080	2	54.1	2.6E-3	7.0E-2
Si-31	Silicon (14)	0.6	16.2	0.5	13.5	1.4E+6	3.9E+7
Si-32		40	1080	0.2	5.41	3.9	1.1E+2
Sm-145	Samarium (62)	20	541	20	541	9.8E+1	2.6E+3
Sm-147		Unlimited	Unlimited	Unlimited	Unlimited	8.5E-1	2.3E-8
Sm-151		40	1080	4	108	9.7E-1	2.6E+1
Sm-153		4	108	0.5	13.5	1.6E+4	4.4E+5
Sn-113	Tin (50)	4	108	4	108	3.7E+2	1.0E+4
Sn-117m		6	162	2	54.1	3.0E+3	8.2E+4
Sn-119m		40	1080	40	1080	1.4E+2	3.7E+3
Sn-121m		40	1080	0.9	24.3	2.0	5.4E+1
Sn-123		0.6	16.2	0.5	13.5	3.0E+2	8.2E+3
Sn-125		0.2	5.41	0.2	5.41	4.0E+3	1.1E+5
Sn-126		0.3	8.11	0.3	8.11	1.0E-3	2.8E-2
Sr-82	Strontium (38)	0.2	5.41	0.2	5.41	2.3E+3	6.2E+4
Sr-85m		5	135	5	135	1.2E+6	3.3E+7
Sr-85		2	54.1	2	54.1	8.8E+2	2.4E+4
Sr-87m		3	81.1	3	81.1	4.8E+5	1.3E+7
Sr-89		0.6	16.2	0.5	13.5	1.1E+3	2.9E+4
Sr-90		0.2	5.41	0.1	2.70	5.1	1.4E+2
Sr-91		0.3	8.11	0.3	8.11	1.3E+5	3.6E+6
Sr-92		0.8	21.6	0.5	13.5	4.7E+5	1.3E+7
T	Tritium (1)	40	1080	40	1080	3.6E+2	9.7E+3
Ta-178	Tantalum (73)	4	27.0	4	27.0	4.2E+6	1.1E+8
Ta-179		30	811	30	811	4.1E+1	1.1E+3
Ta-182		0.8	21.6	0.5	13.5	2.3E+2	6.2E+3

Symbol of Radionuclide	Element and atomic number	A1 (TBq)	A1 (Ci)	A2 (TBq)	A2 (Ci)	(TBq/g)	((Specific activity) (Ci/g))
Tb-157	Terbium (65)	40	1080	40	270	5.6E+1	1.5E+1
Tb-158		+	27.0	0.7	18.9	5.6E+1	1.5E+1
Tb-160		0.9	24.3	0.5	13.5	4.2E+2	1.1E+4
Tc-95m	Technetium (43)	2	54.1	2	54.1	8.3E+2	2.2E+4
Tc-96m		0.4	10.8	0.4	10.8	1.4E+6	3.8E+7
Tc-96		0.4	10.8	0.4	10.8	1.2E+4	3.2E+5
Tc-97m		40	1080	40	1080	5.6E+2	1.5E+4
Tc-97		Unlimited	Unlimited	Unlimited	Unlimited	5.2E-5	1.4E-3
Tc-98		0.7	18.9	0.7	18.9	3.2E-5	8.7E-4
Tc-99m		8	216	8	216	1.9E+5	5.3E+6
Tc-99		40	1080	0.9	24.3	6.3E-4	1.7E-2
Te-118	Tellurium (52)	0.2	5.41	0.2	5.41	6.8E+3	1.8E+5
Te-121m		5	135	5	135	2.6E+2	7.0E+3
Te-121		2	54.1	2	54.1	2.4E+3	6.4E+4
Te-123m		7	189	7	189	3.3E+2	8.9E+3
Te-125m		30	811	9	243	6.7E+2	1.8E+4
Te-127m		20	541	0.5	13.5	3.5E+2	9.4E+3
Te-127		20	541	0.5	13.5	9.8E+4	2.6E+6
Te-129m		0.6	16.2	0.5	13.5	1.1E+3	3.0E+4
Te-129		0.6	16.2	0.5	13.5	7.7E+5	2.1E+7
Te-131m		0.7	18.9	0.5	13.5	3.0E+4	8.0E+5
Te-132		0.4	10.8	0.4	10.8	1.1E+4	3.0E+5
Th-227	Thorium (90)	9	243	1E-2	0.270	1.1E+3	3.1E+4
Th-228		0.3	8.11	4E-4	1.08E-2	3.0E+1	8.2E+2
Th-229		0.3	8.11	3E-5	8.11E-4	7.9E-3	2.1E-1
Th-230		2	54.1	2E-4	5.41E-3	7.6E-4	2.1E-2
Th-231		40	1080	0.9	24.3	2.0E+4	5.3E+5
Th-232		Unlimited	Unlimited	Unlimited	Unlimited	4.0E-9	1.1E-7
Th-234		0.2	5.41	0.2	5.41	8.6E+2	2.3E+4
Th (natural)		Unlimited	Unlimited	Unlimited	Unlimited	8.1E-9	2.2E-7
Ti-44	Titanium (22)	0.5	13.5	0.2	5.41	6.4	1.7E+2
Tl-200	Thallium (81.1)	0.8	21.6	0.8	21.6	2.2E+4	6.0E+5
Tl-201		40	270	40	270	7.9E+3	2.1E+5
Tl-202		2	54.1	2	54.1	2.0E+3	5.3E+4
Tl-204		4	108	0.5	13.5	1.7E+1	4.6E+2
Tm-167	Thulium (69)	7	189	7	189	3.1E+3	8.5E+4
Tm-168		0.8	21.6	0.8	21.6	3.1E+2	8.3E+3
Tm-170		4	108	0.5	13.5	2.2E+2	6.0E+3
Tm-171		40	1080	40	270	4.0E+1	1.1E+3
U-230	Uranium (92)	40	1080	1E-2	0.270	1.0E+3	2.7E+4
U-232		3	81.1	3E-4	8.11E-3	8.3E+1	2.2E+1
U-233		40	270	1E-3	2.70E-2	3.6E-4	9.7E-3
U-234		40	270	1E-3	2.70E-2	2.3E-4	6.2E-3
U-235		Unlimited	Unlimited	Unlimited	Unlimited	8.0E-8	2.2E-6
U-236		40	270	1E-3	2.70E-2	2.4E-6	6.5E-5
U-238		Unlimited	Unlimited	Unlimited	Unlimited	1.2E-8	3.4E-7
U (natural)		Unlimited	Unlimited	Unlimited	Unlimited	2.6E-8	7.1E-7
U (enriched 5% or less)		Unlimited	Unlimited	Unlimited	Unlimited	(See Table A-3)	
U (enriched more than 5%)		40	270	1E-3	2.70E-2	(See Table A-3)	
U (depleted)		Unlimited	Unlimited	Unlimited	Unlimited	(See Table A-3)	
V-48	Vanadium (23)	0.3	8.11	0.3	8.11	6.3E+3	1.7E+5
V-49		40	1080	40	1080	3.0E+2	8.1E+3
W-178	Tungsten (74)	4	27.0	4	27.0	1.3E+3	3.4E+4
W-181		30	811	30	811	2.2E+2	6.0E+3

Symbol of radionuclide	Element and atomic number	((Specific activity)					
		A1 (TBq)	A1 (Ci)	A2 (TBq)	A2 (Ci)	(TBq/g)	(Ci/g)
W-185		40	1080	0.9	24.3	3.5E+2	9.4E+3
W-187		2	54.1	0.5	13.5	2.6E+4	7.0E+5
W-188		0.2	5.41	0.2	5.41	3.7E+2	1.0E+4
Xe-122	Xenon (54)	0.2	5.41	0.2	5.41	4.8E+4	1.3E+6
Xe-123		0.2	5.41	0.2	5.41	4.4E+5	1.2E+7
Xe-127		4	108	4	108	1.0E+3	2.8E+4
Xe-131m		40	1080	40	1080	3.1E+3	8.4E+4
Xe-133		20	54.1	20	54.1	6.9E+3	1.9E+5
Xe-135		4	108	4	108	9.5E+4	2.6E+6
Y-87	Yttrium (39)	2	54.1	2	54.1	1.7E+4	4.5E+5
Y-88		0.4	10.8	0.4	10.8	5.2E+2	1.4E+4
Y-90		0.2	5.41	0.2	5.41	2.0E+4	5.4E+5
Y-91m		2	54.1	2	54.1	1.5E+6	4.2E+7
Y-91		0.3	8.11	0.3	8.11	9.1E+2	2.5E+4
Y-92		0.2	5.41	0.2	5.41	3.6E+5	9.6E+6
Y-93		0.2	5.41	0.2	5.41	1.2E+5	3.3E+6
Yb-169	Ytterbium (70)	3	81.1	3	81.1	8.9E+2	2.4E+4
Yb-175		30	811	0.9	24.3	6.6E+3	1.8E+5
Z	Zinc (30)	2	54.1	2	54.1	3.0E+2	8.2E+3
n-65							
Zn-69m		2	54.1	0.5	13.5	1.2E+5	3.3E+6
Zn-69		4	108	0.5	13.5	1.8E+6	4.9E+7
Zr-88	Zirconium (40)	3	81.1	3	81.1	6.6E+2	1.8E+4
Zr-93		40	1080	0.2	5.41	9.3E-5	2.5E-3
Zr-95		4	27.0	0.9	24.3	7.9E+2	2.1E+4
Zr-97		0.3	8.11	0.3	8.11	7.1E+4	1.9E+6

a International shipments of Einsteinium require multilateral approval of A1 and A2 values.

b International shipments of Fermium require multilateral approval of A1 and A2 values.

e 20 Ci for Mo99 for domestic use.))

Symbol of radionuclide	Element and atomic number	Specific activity					
		A1 (TBq)	A1 (Ci) ^b	A2 (TBq)	A2 (Ci) ^b	(TBq/g)	(Ci/g)
Ac-225 (a)	Actinium (89)	<u>8.0X10⁻¹</u>	<u>2.2X10¹</u>	<u>6.0X10⁻³</u>	<u>1.6X10⁻¹</u>	<u>2.1X10³</u>	<u>5.8X10⁴</u>
Ac-227 (a)		<u>9.0X10⁻¹</u>	<u>2.4X10¹</u>	<u>9.0X10⁻⁵</u>	<u>2.4X10⁻³</u>	<u>2.7</u>	<u>7.2X10¹</u>
Ac-228		<u>6.0X10⁻¹</u>	<u>1.6X10¹</u>	<u>5.0X10⁻¹</u>	<u>1.4X10¹</u>	<u>8.4X10⁴</u>	<u>2.2X10⁶</u>
Ag-105	Silver (47)	<u>2.0</u>	<u>5.4X10¹</u>	<u>2.0</u>	<u>5.4X10¹</u>	<u>1.1X10³</u>	<u>3.0X10⁴</u>
Ag-108m (a)		<u>7.0X10⁻¹</u>	<u>1.9X10¹</u>	<u>7.0X10⁻¹</u>	<u>1.9X10¹</u>	<u>9.7X10⁻¹</u>	<u>2.6X10¹</u>
Ag-110m (a)		<u>4.0X10⁻¹</u>	<u>1.1X10¹</u>	<u>4.0X10⁻¹</u>	<u>1.1X10¹</u>	<u>1.8X10²</u>	<u>4.7X10³</u>
Ag-111		<u>2.0</u>	<u>5.4X10¹</u>	<u>6.0X10⁻¹</u>	<u>1.6X10¹</u>	<u>5.8X10³</u>	<u>1.6X10⁵</u>
Al-26	Aluminum (13)	<u>1.0X10⁻¹</u>	<u>2.7</u>	<u>1.0X10⁻¹</u>	<u>2.7</u>	<u>7.0X10⁻⁴</u>	<u>1.9X10⁻²</u>
Am-241	Americium (95)	<u>1.0X10¹</u>	<u>2.7X10²</u>	<u>1.0X10⁻³</u>	<u>2.7X10⁻²</u>	<u>1.3X10⁻¹</u>	<u>3.4</u>
Am-242m (a)		<u>1.0X10¹</u>	<u>2.7X10²</u>	<u>1.0X10⁻³</u>	<u>2.7X10⁻²</u>	<u>3.6X10⁻¹</u>	<u>1.0X10¹</u>
Am-243 (a)		<u>5.0</u>	<u>1.4X10²</u>	<u>1.0X10⁻³</u>	<u>2.7X10⁻²</u>	<u>7.4X10⁻³</u>	<u>2.0X10⁻¹</u>
Ar-37	Argon (18)	<u>4.0X10¹</u>	<u>1.1X10³</u>	<u>4.0X10¹</u>	<u>1.1X10³</u>	<u>3.7X10³</u>	<u>9.9X10⁴</u>
Ar-39		<u>4.0X10¹</u>	<u>1.1X10³</u>	<u>2.0X10¹</u>	<u>5.4X10²</u>	<u>1.3</u>	<u>3.4X10¹</u>
Ar-41		<u>3.0X10⁻¹</u>	<u>8.1</u>	<u>3.0X10⁻¹</u>	<u>8.1</u>	<u>1.5X10⁶</u>	<u>4.2X10⁷</u>
As-72	Arsenic (33)	<u>3.0X10⁻¹</u>	<u>8.1</u>	<u>3.0X10⁻¹</u>	<u>8.1</u>	<u>6.2X10⁴</u>	<u>1.7X10⁶</u>
As-73		<u>4.0X10¹</u>	<u>1.1X10³</u>	<u>4.0X10¹</u>	<u>1.1X10³</u>	<u>8.2X10²</u>	<u>2.2X10⁴</u>
As-74		<u>1.0</u>	<u>2.7X10¹</u>	<u>9.0X10⁻¹</u>	<u>2.4X10¹</u>	<u>3.7X10³</u>	<u>9.9X10⁴</u>
As-76		<u>3.0X10⁻¹</u>	<u>8.1</u>	<u>3.0X10⁻¹</u>	<u>8.1</u>	<u>5.8X10⁴</u>	<u>1.6X10⁶</u>
As-77		<u>2.0X10¹</u>	<u>5.4X10²</u>	<u>7.0X10⁻¹</u>	<u>1.9X10¹</u>	<u>3.9X10⁴</u>	<u>1.0X10⁶</u>
At-211 (a)	Astatine (85)	<u>2.0X10¹</u>	<u>5.4X10²</u>	<u>5.0X10⁻¹</u>	<u>1.4X10¹</u>	<u>7.6X10⁴</u>	<u>2.1X10⁶</u>
Au-193	Gold (79)	<u>7.0</u>	<u>1.9X10²</u>	<u>2.0</u>	<u>5.4X10¹</u>	<u>3.4X10⁴</u>	<u>9.2X10⁵</u>

Symbol of radionuclide	Element and atomic number	A1 (TBq)	A1 (Ci) ^b	A2 (TBq)	A2 (Ci) ^b	Specific activity	
						(TBq/g)	(Ci/g)
Au-194		1.0	2.7X10 ⁻¹	1.0	2.7X10 ⁻¹	1.5X10 ⁴	4.1X10 ²
Au-195		1.0X10 ¹	2.7X10 ²	6.0	1.6X10 ²	1.4X10 ²	3.7X10 ³
Au-198		1.0	2.7X10 ⁻¹	6.0X10 ⁻¹	1.6X10 ⁻¹	9.0X10 ³	2.4X10 ⁵
Au-199		1.0X10 ¹	2.7X10 ²	6.0X10 ⁻¹	1.6X10 ⁻¹	7.7X10 ³	2.1X10 ⁵
Ba-131 (a)	Barium (56)	2.0	5.4X10 ⁻¹	2.0	5.4X10 ⁻¹	3.1X10 ³	8.4X10 ⁴
Ba-133		3.0	8.1X10 ⁻¹	3.0	8.1X10 ⁻¹	9.4	2.6X10 ²
Ba-133m		2.0X10 ⁻¹	5.4X10 ²	6.0X10 ⁻¹	1.6X10 ⁻¹	2.2X10 ⁴	6.1X10 ³
Ba-140 (a)		5.0X10 ⁻¹	1.4X10 ⁻¹	3.0X10 ⁻¹	8.1	2.7X10 ³	7.3X10 ⁴
Be-7	Beryllium (4)	2.0X10 ¹	5.4X10 ²	2.0X10 ⁻¹	5.4X10 ²	1.3X10 ⁴	3.5X10 ⁵
Be-10		4.0X10 ¹	1.1X10 ³	6.0X10 ⁻¹	1.6X10 ¹	8.3X10 ⁻⁴	2.2X10 ⁻²
Bi-205	Bismuth (83)	7.0X10 ⁻¹	1.9X10 ¹	7.0X10 ⁻¹	1.9X10 ¹	1.5X10 ³	4.2X10 ⁴
Bi-206		3.0X10 ⁻¹	8.1	3.0X10 ⁻¹	8.1	3.8X10 ³	1.0X10 ⁵
Bi-207		7.0X10 ⁻¹	1.9X10 ¹	7.0X10 ⁻¹	1.9X10 ¹	1.9	5.2X10 ¹
Bi-210		1.0	2.7X10 ¹	6.0X10 ⁻¹	1.6X10 ¹	4.6X10 ³	1.2X10 ⁵
Bi-210m (a)		6.0X10 ⁻¹	1.6X10 ¹	2.0X10 ⁻²	5.4X10 ⁻¹	2.1X10 ⁻⁵	5.7X10 ⁻⁴
Bi-212 (a)		7.0X10 ⁻¹	1.9X10 ¹	6.0X10 ⁻¹	1.6X10 ¹	5.4X10 ⁻⁵	1.5X10 ⁻²
Bk-247	Berkelium (97)	8.0	2.2X10 ²	8.0X10 ⁻⁴	2.2X10 ⁻²	3.8X10 ⁻²	1.0
Bk-249 (a)		4.0X10 ¹	1.1X10 ³	3.0X10 ⁻¹	8.1	6.1X10 ¹	1.6X10 ³
Br-76	Bromine (35)	4.0X10 ⁻¹	1.1X10 ¹	4.0X10 ⁻¹	1.1X10 ¹	9.4X10 ⁴	2.5X10 ⁶
Br-77		3.0	8.1X10 ⁻¹	3.0	8.1X10 ⁻¹	2.6X10 ⁴	7.1X10 ⁵
Br-82		4.0X10 ⁻¹	1.1X10 ¹	4.0X10 ⁻¹	1.1X10 ¹	4.0X10 ⁴	1.1X10 ⁶
C-11	Carbon (6)	1.0	2.7X10 ¹	6.0X10 ⁻¹	1.6X10 ¹	3.1X10 ⁷	8.4X10 ⁸
C-14		4.0X10 ¹	1.1X10 ³	3.0	8.1X10 ¹	1.6X10 ⁻¹	4.5
Ca-41	Calcium (20)	Unlimited	Unlimited	Unlimited	Unlimited	3.1X10 ⁻³	8.5X10 ⁻²
Ca-45		4.0X10 ¹	1.1X10 ³	1.0	2.7X10 ¹	6.6X10 ²	1.8X10 ⁴
Ca-47 (a)		3.0	8.1X10 ⁻¹	3.0X10 ⁻¹	8.1	2.3X10 ⁴	6.1X10 ⁵
Cd-109	Cadmium (48)	3.0X10 ¹	8.1X10 ²	2.0	5.4X10 ¹	9.6X10 ¹	2.6X10 ³
Cd-113m		4.0X10 ¹	1.1X10 ³	5.0X10 ⁻¹	1.4X10 ¹	8.3	2.2X10 ²
Cd-115 (a)		3.0	8.1X10 ⁻¹	4.0X10 ⁻¹	1.1X10 ¹	1.9X10 ⁴	5.1X10 ⁵
Cd-115m		5.0X10 ⁻¹	1.4X10 ¹	5.0X10 ⁻¹	1.4X10 ¹	9.4X10 ²	2.5X10 ⁴
Ce-139	Cerium (58)	7.0	1.9X10 ²	2.0	5.4X10 ¹	2.5X10 ²	6.8X10 ³
Ce-141		2.0X10 ¹	5.4X10 ²	6.0X10 ⁻¹	1.6X10 ¹	1.1X10 ³	2.8X10 ⁴
Ce-143		9.0X10 ⁻¹	2.4X10 ¹	6.0X10 ⁻¹	1.6X10 ¹	2.5X10 ⁴	6.6X10 ⁵
Ce-144 (a)		2.0X10 ⁻¹	5.4	2.0X10 ⁻¹	5.4	1.2X10 ²	3.2X10 ³
Cf-248	Californium (98)	4.0X10 ¹	1.1X10 ³	6.0X10 ⁻³	1.6X10 ⁻¹	5.8X10 ¹	1.6X10 ³
Cf-249		3.0	8.1X10 ⁻¹	8.0X10 ⁻⁴	2.2X10 ⁻²	1.5X10 ⁻¹	4.1
Cf-250		2.0X10 ¹	5.4X10 ²	2.0X10 ⁻³	5.4X10 ⁻²	4.0	1.1X10 ²
Cf-251		7.0	1.9X10 ²	7.0X10 ⁻⁴	1.9X10 ⁻²	5.9X10 ⁻²	1.6
Cf-252 (h)		5.0X10 ⁻²	1.4	3.0X10 ⁻³	8.1X10 ⁻²	2.0X10 ¹	5.4X10 ²
Cf-253 (a)		4.0X10 ¹	1.1X10 ³	4.0X10 ⁻²	1.1	1.1X10 ³	2.9X10 ⁴
Cf-254		1.0X10 ⁻³	2.7X10 ⁻²	1.0X10 ⁻³	2.7X10 ⁻²	3.1X10 ²	8.5X10 ³
Cl-36	Chlorine (17)	1.0X10 ¹	2.7X10 ²	6.0X10 ⁻¹	1.6X10 ¹	1.2X10 ⁻³	3.3X10 ⁻²
Cl-38		2.0X10 ⁻¹	5.4	2.0X10 ⁻¹	5.4	4.9X10 ⁶	1.3X10 ⁸
Cm-240	Curium (96)	4.0X10 ¹	1.1X10 ³	2.0X10 ⁻²	5.4X10 ⁻¹	7.5X10 ²	2.0X10 ⁴
Cm-241		2.0	5.4X10 ¹	1.0	2.7X10 ¹	6.1X10 ²	1.7X10 ⁴
Cm-242		4.0X10 ¹	1.1X10 ³	1.0X10 ⁻²	2.7X10 ⁻¹	1.2X10 ²	3.3X10 ³
Cm-243		9.0	2.4X10 ²	1.0X10 ⁻³	2.7X10 ⁻²	1.9X10 ⁻³	5.2X10 ⁻¹
Cm-244		2.0X10 ¹	5.4X10 ²	2.0X10 ⁻³	5.4X10 ⁻²	3.0	8.1X10 ⁻¹
Cm-245		9.0	2.4X10 ²	9.0X10 ⁻⁴	2.4X10 ⁻²	6.4X10 ⁻³	1.7X10 ⁻¹
Cm-246		9.0	2.4X10 ²	9.0X10 ⁻⁴	2.4X10 ⁻²	1.1X10 ⁻²	3.1X10 ⁻¹
Cm-247 (a)		3.0	8.1X10 ⁻¹	1.0X10 ⁻³	2.7X10 ⁻²	3.4X10 ⁻⁶	9.3X10 ⁻⁵
Cm-248		2.0X10 ⁻²	5.4X10 ⁻¹	3.0X10 ⁻⁴	8.1X10 ⁻³	1.6X10 ⁻⁴	4.2X10 ⁻³

Symbol of radionuclide	Element and atomic number	A1 (TBq)	A1 (Ci) ^b	A2 (TBq)	A2 (Ci) ^b	Specific activity	
						(TBq/g)	(Ci/g)
Co-55	Cobalt (27)	5.0X10 ⁻¹	1.4X10 ¹	5.0X10 ⁻¹	1.4X10 ¹	1.1X10 ²	3.1X10 ⁶
Co-56		3.0X10 ⁻¹	8.1	3.0X10 ⁻¹	8.1	1.1X10 ³	3.0X10 ⁴
Co-57		1.0X10 ¹	2.7X10 ²	1.0X10 ¹	2.7X10 ²	3.1X10 ²	8.4X10 ³
Co-58		1.0	2.7X10 ¹	1.0	2.7X10 ¹	1.2X10 ³	3.2X10 ⁴
Co-58m		4.0X10 ¹	1.1X10 ³	4.0X10 ¹	1.1X10 ³	2.2X10 ⁵	5.9X10 ⁶
Co-60		4.0X10 ⁻¹	1.1X10 ¹	4.0X10 ⁻¹	1.1X10 ¹	4.2X10 ¹	1.1X10 ³
Cr-51	Chromium (24)	3.0X10 ¹	8.1X10 ²	3.0X10 ¹	8.1X10 ²	3.4X10 ³	9.2X10 ⁴
Cs-129	Cesium (55)	4.0	1.1X10 ²	4.0	1.1X10 ²	2.8X10 ⁴	7.6X10 ⁵
Cs-131		3.0X10 ¹	8.1X10 ²	3.0X10 ¹	8.1X10 ²	3.8X10 ³	1.0X10 ⁵
Cs-132		1.0	2.7X10 ¹	1.0	2.7X10 ¹	5.7X10 ³	1.5X10 ⁵
Cs-134		7.0X10 ⁻¹	1.9X10 ¹	7.0X10 ⁻¹	1.9X10 ¹	4.8X10 ¹	1.3X10 ³
Cs-134m		4.0X10 ¹	1.1X10 ³	6.0X10 ⁻¹	1.6X10 ¹	3.0X10 ⁵	8.0X10 ⁶
Cs-135		4.0X10 ¹	1.1X10 ³	1.0	2.7X10 ¹	4.3X10 ⁵	1.2X10 ³
Cs-136		5.0X10 ⁻¹	1.4X10 ¹	5.0X10 ⁻¹	1.4X10 ¹	2.7X10 ³	7.3X10 ⁴
Cs-137 (a)		2.0	5.4X10 ¹	6.0X10 ⁻¹	1.6X10 ¹	3.2	8.7X10 ¹
Cu-64	Copper (29)	6.0	1.6X10 ²	1.0	2.7X10 ¹	1.4X10 ⁵	3.9X10 ⁶
Cu-67		1.0X10 ¹	2.7X10 ²	7.0X10 ⁻¹	1.9X10 ¹	2.8X10 ⁴	7.6X10 ⁵
Dy-159	Dysprosium (66)	2.0X10 ¹	5.4X10 ²	2.0X10 ¹	5.4X10 ²	2.1X10 ²	5.7X10 ³
Dy-165		9.0X10 ⁻¹	2.4X10 ¹	6.0X10 ⁻¹	1.6X10 ¹	3.0X10 ⁵	8.2X10 ⁶
Dy-166 (a)		9.0X10 ⁻¹	2.4X10 ¹	3.0X10 ⁻¹	8.1	8.6X10 ³	2.3X10 ⁵
Er-169	Erbium (68)	4.0X10 ¹	1.1X10 ³	1.0	2.7X10 ¹	3.1X10 ³	8.3X10 ⁴
Er-171		8.0X10 ⁻¹	2.2X10 ¹	5.0X10 ⁻¹	1.4X10 ¹	9.0X10 ⁴	2.4X10 ⁶
Eu-147	Europium (63)	2.0	5.4X10 ¹	2.0	5.4X10 ¹	1.4X10 ³	3.7X10 ⁴
Eu-148		5.0X10 ⁻¹	1.4X10 ¹	5.0X10 ⁻¹	1.4X10 ¹	6.0X10 ²	1.6X10 ⁴
Eu-149		2.0X10 ¹	5.4X10 ²	2.0X10 ¹	5.4X10 ²	3.5X10 ²	9.4X10 ³
Eu-150 (short lived)		2.0	5.4X10 ¹	7.0X10 ⁻¹	1.9X10 ¹	6.1X10 ⁴	1.6X10 ⁶
Eu-150 (long lived)		7.0X10 ⁻¹	1.9X10 ¹	7.0X10 ⁻¹	1.9X10 ¹	6.1X10 ⁴	1.6X10 ⁶
Eu-152		1.0	2.7X10 ¹	1.0	2.7X10 ¹	6.5	1.8X10 ²
Eu-152m		8.0X10 ⁻¹	2.2X10 ¹	8.0X10 ⁻¹	2.2X10 ¹	8.2X10 ⁴	2.2X10 ⁶
Eu-154		9.0X10 ⁻¹	2.4X10 ¹	6.0X10 ⁻¹	1.6X10 ¹	9.8	2.6X10 ²
Eu-155		2.0X10 ¹	5.4X10 ²	3.0	8.1X10 ¹	1.8X10 ¹	4.9X10 ²
Eu-156		7.0X10 ⁻¹	1.9X10 ¹	7.0X10 ⁻¹	1.9X10 ¹	2.0X10 ³	5.5X10 ⁴
F-18	Fluorine (9)	1.0	2.7X10 ¹	6.0X10 ⁻¹	1.6X10 ¹	3.5X10 ⁶	9.5X10 ⁷
Fe-52 (a)	Iron (26)	3.0X10 ⁻¹	8.1	3.0X10 ⁻¹	8.1	2.7X10 ⁵	7.3X10 ⁶
Fe-55		4.0X10 ¹	1.1X10 ³	4.0X10 ¹	1.1X10 ³	8.8X10 ¹	2.4X10 ³
Fe-59		9.0X10 ⁻¹	2.4X10 ¹	9.0X10 ⁻¹	2.4X10 ¹	1.8X10 ³	5.0X10 ⁴
Fe-60 (a)		4.0X10 ¹	1.1X10 ³	2.0X10 ⁻¹	5.4	7.4X10 ⁻⁴	2.0X10 ⁻²
Ga-67	Gallium (31)	7.0	1.9X10 ²	3.0	8.1X10 ¹	2.2X10 ⁴	6.0X10 ⁵
Ga-68		5.0X10 ⁻¹	1.4X10 ¹	5.0X10 ⁻¹	1.4X10 ¹	1.5X10 ⁶	4.1X10 ⁷
Ga-72		4.0X10 ⁻¹	1.1X10 ¹	4.0X10 ⁻¹	1.1X10 ¹	1.1X10 ⁵	3.1X10 ⁶
Gd-146 (a)	Gadolinium (64)	5.0X10 ⁻¹	1.4X10 ¹	5.0X10 ⁻¹	1.4X10 ¹	6.9X10 ²	1.9X10 ⁴
Gd-148		2.0X10 ¹	5.4X10 ²	2.0X10 ⁻³	5.4X10 ⁻²	1.2	3.2X10 ¹
Gd-153		1.0X10 ¹	2.7X10 ²	9.0	2.4X10 ²	1.3X10 ²	3.5X10 ³
Gd-159		3.0	8.1X10 ¹	6.0X10 ⁻¹	1.6X10 ¹	3.9X10 ⁴	1.1X10 ⁶
Ge-68 (a)	Germanium (32)	5.0X10 ⁻¹	1.4X10 ¹	5.0X10 ⁻¹	1.4X10 ¹	2.6X10 ²	7.1X10 ³
Ge-71		4.0X10 ¹	1.1X10 ³	4.0X10 ¹	1.1X10 ³	5.8X10 ³	1.6X10 ⁵
Ge-77		3.0X10 ⁻¹	8.1	3.0X10 ⁻¹	8.1	1.3X10 ⁵	3.6X10 ⁶
Hf-172 (a)	Hafnium (72)	6.0X10 ⁻¹	1.6X10 ¹	6.0X10 ⁻¹	1.6X10 ¹	4.1X10 ¹	1.1X10 ³
Hf-175		3.0	8.1X10 ¹	3.0	8.1X10 ¹	3.9X10 ²	1.1X10 ⁴
Hf-181		2.0	5.4X10 ¹	5.0X10 ⁻¹	1.4X10 ¹	6.3X10 ²	1.7X10 ⁴
Hf-182		Unlimited	Unlimited	Unlimited	Unlimited	8.1X10 ⁻⁶	2.2X10 ⁻⁴

Symbol of radionuclide	Element and atomic number	A1 (TBq)	A1 (Ci) ^b	A2 (TBq)	A2 (Ci) ^b	Specific activity	
						(TBq/g)	(Ci/g)
Hg-194 (a)	Mercury (80)	1.0	2.7X10 ⁻¹	1.0	2.7X10 ⁻¹	1.3X10 ⁻¹	3.5
Hg-195m (a)		3.0	8.1X10 ⁻¹	7.0X10 ⁻¹	1.9X10 ⁻¹	1.5X10 ⁴	4.0X10 ⁵
Hg-197		2.0X10 ⁻¹	5.4X10 ²	1.0X10 ⁻¹	2.7X10 ²	9.2X10 ³	2.5X10 ⁵
Hg-197m		1.0X10 ⁻¹	2.7X10 ²	4.0X10 ⁻¹	1.1X10 ⁻¹	2.5X10 ⁴	6.7X10 ⁵
Hg-203		5.0	1.4X10 ²	1.0	2.7X10 ⁻¹	5.1X10 ²	1.4X10 ⁴
Ho-166	Holmium (67)	4.0X10 ⁻¹	1.1X10 ⁻¹	4.0X10 ⁻¹	1.1X10 ⁻¹	2.6X10 ⁴	7.0X10 ⁵
Ho-166m		6.0X10 ⁻¹	1.6X10 ⁻¹	5.0X10 ⁻¹	1.4X10 ⁻¹	6.6X10 ⁻²	1.8
I-123	Iodine (53)	6.0	1.6X10 ²	3.0	8.1X10 ⁻¹	7.1X10 ⁴	1.9X10 ⁶
I-124		1.0	2.7X10 ⁻¹	1.0	2.7X10 ⁻¹	9.3X10 ³	2.5X10 ⁵
I-125		2.0X10 ⁻¹	5.4X10 ²	3.0	8.1X10 ⁻¹	6.4X10 ²	1.7X10 ⁴
I-126		2.0	5.4X10 ⁻¹	1.0	2.7X10 ⁻¹	2.9X10 ³	8.0X10 ⁴
I-129		Unlimited	Unlimited	Unlimited	Unlimited	6.5X10 ⁻⁶	1.8X10 ⁻⁴
I-131		3.0	8.1X10 ⁻¹	7.0X10 ⁻¹	1.9X10 ⁻¹	4.6X10 ³	1.2X10 ⁵
I-132		4.0X10 ⁻¹	1.1X10 ⁻¹	4.0X10 ⁻¹	1.1X10 ⁻¹	3.8X10 ⁵	1.0X10 ⁷
I-133		7.0X10 ⁻¹	1.9X10 ⁻¹	6.0X10 ⁻¹	1.6X10 ⁻¹	4.2X10 ⁴	1.1X10 ⁶
I-134		3.0X10 ⁻¹	8.1	3.0X10 ⁻¹	8.1	9.9X10 ⁵	2.7X10 ⁷
I-135 (a)		6.0X10 ⁻¹	1.6X10 ⁻¹	6.0X10 ⁻¹	1.6X10 ⁻¹	1.3X10 ⁵	3.5X10 ⁶
In-111	Indium (49)	3.0	8.1X10 ⁻¹	3.0	8.1X10 ⁻¹	1.5X10 ⁴	4.2X10 ⁵
In-113m		4.0	1.1X10 ²	2.0	5.4X10 ⁻¹	6.2X10 ⁵	1.7X10 ⁷
In-114m (a)		1.0X10 ⁻¹	2.7X10 ²	5.0X10 ⁻¹	1.4X10 ⁻¹	8.6X10 ²	2.3X10 ⁴
In-115m		7.0	1.9X10 ²	1.0	2.7X10 ⁻¹	2.2X10 ⁵	6.1X10 ⁶
Ir-189 (a)	Iridium (77)	1.0X10 ⁻¹	2.7X10 ²	1.0X10 ⁻¹	2.7X10 ²	1.9X10 ³	5.2X10 ⁴
Ir-190		7.0X10 ⁻¹	1.9X10 ⁻¹	7.0X10 ⁻¹	1.9X10 ⁻¹	2.3X10 ³	6.2X10 ⁴
Ir-192 (c)		1.0	2.7X10 ⁻¹	6.0X10 ⁻¹	1.6X10 ⁻¹	3.4X10 ²	9.2X10 ³
Ir-194		3.0X10 ⁻¹	8.1	3.0X10 ⁻¹	8.1	3.1X10 ⁴	8.4X10 ⁵
K-40	Potassium (19)	9.0X10 ⁻¹	2.4X10 ⁻¹	9.0X10 ⁻¹	2.4X10 ⁻¹	2.4X10 ⁻⁷	6.4X10 ⁻⁶
K-42		2.0X10 ⁻¹	5.4	2.0X10 ⁻¹	5.4	2.2X10 ⁵	6.0X10 ⁶
K-43		7.0X10 ⁻¹	1.9X10 ⁻¹	6.0X10 ⁻¹	1.6X10 ⁻¹	1.2X10 ⁵	3.3X10 ⁶
Kr-81	Krypton (36)	4.0X10 ⁻¹	1.1X10 ³	4.0X10 ⁻¹	1.1X10 ³	7.8X10 ⁻⁴	2.1X10 ⁻²
Kr-85		1.0X10 ⁻¹	2.7X10 ²	1.0X10 ⁻¹	2.7X10 ²	1.5X10 ¹	3.9X10 ²
Kr-85m		8.0	2.2X10 ²	3.0	8.1X10 ⁻¹	3.0X10 ⁵	8.2X10 ⁶
Kr-87		2.0X10 ⁻¹	5.4	2.0X10 ⁻¹	5.4	1.0X10 ⁶	2.8X10 ⁷
La-137	Lanthanum (57)	3.0X10 ⁻¹	8.1X10 ²	6.0	1.6X10 ²	1.6X10 ⁻³	4.4X10 ⁻²
La-140		4.0X10 ⁻¹	1.1X10 ⁻¹	4.0X10 ⁻¹	1.1X10 ⁻¹	2.1X10 ⁴	5.6X10 ⁵
Lu-172	Lutetium (71)	6.0X10 ⁻¹	1.6X10 ⁻¹	6.0X10 ⁻¹	1.6X10 ⁻¹	4.2X10 ³	1.1X10 ⁵
Lu-173		8.0	2.2X10 ²	8.0	2.2X10 ²	5.6X10 ¹	1.5X10 ³
Lu-174		9.0	2.4X10 ²	9.0	2.4X10 ²	2.3X10 ¹	6.2X10 ²
Lu-174m		2.0X10 ⁻¹	5.4X10 ²	1.0X10 ⁻¹	2.7X10 ²	2.0X10 ²	5.3X10 ³
Lu-177		3.0X10 ⁻¹	8.1X10 ²	7.0X10 ⁻¹	1.9X10 ¹	4.1X10 ³	1.1X10 ⁵
Mg-28 (a)	Magnesium (12)	3.0X10 ⁻¹	8.1	3.0X10 ⁻¹	8.1	2.0X10 ⁵	5.4X10 ⁶
Mn-52	Manganese (25)	3.0X10 ⁻¹	8.1	3.0X10 ⁻¹	8.1	1.6X10 ⁴	4.4X10 ⁵
Mn-53		Unlimited	Unlimited	Unlimited	Unlimited	6.8X10 ⁻⁵	1.8X10 ⁻³
Mn-54		1.0	2.7X10 ⁻¹	1.0	2.7X10 ⁻¹	2.9X10 ²	7.7X10 ³
Mn-56		3.0X10 ⁻¹	8.1	3.0X10 ⁻¹	8.1	8.0X10 ⁵	2.2X10 ⁷
Mo-93	Molybdenum (42)	4.0X10 ⁻¹	1.1X10 ³	2.0X10 ⁻¹	5.4X10 ²	4.1X10 ⁻²	1.1
Mo-99 (a) (i)		1.0	2.7X10 ⁻¹	6.0X10 ⁻¹	1.6X10 ⁻¹	1.8X10 ⁴	4.8X10 ⁵
N-13	Nitrogen (7)	9.0X10 ⁻¹	2.4X10 ⁻¹	6.0X10 ⁻¹	1.6X10 ⁻¹	5.4X10 ⁷	1.5X10 ⁹
Na-22	Sodium (11)	5.0X10 ⁻¹	1.4X10 ⁻¹	5.0X10 ⁻¹	1.4X10 ⁻¹	2.3X10 ²	6.3X10 ³
Na-24		2.0X10 ⁻¹	5.4	2.0X10 ⁻¹	5.4	3.2X10 ⁵	8.7X10 ⁶
Nb-93m	Niobium (41)	4.0X10 ⁻¹	1.1X10 ³	3.0X10 ⁻¹	8.1X10 ²	8.8	2.4X10 ²
Nb-94		7.0X10 ⁻¹	1.9X10 ⁻¹	7.0X10 ⁻¹	1.9X10 ⁻¹	6.9X10 ⁻³	1.9X10 ⁻¹
Nb-95		1.0	2.7X10 ⁻¹	1.0	2.7X10 ⁻¹	1.5X10 ³	3.9X10 ⁴

Symbol of radionuclide	Element and atomic number	A1 (TBq)	A1 (Ci) ^b	A2 (TBq)	A2 (Ci) ^b	Specific activity	
						(TBq/g)	(Ci/g)
Nb-97		<u>9.0X10⁻¹</u>	<u>2.4X10¹</u>	<u>6.0X10⁻¹</u>	<u>1.6X10¹</u>	<u>9.9X10²</u>	<u>2.7X10⁴</u>
Nd-147	Neodymium (60)	<u>6.0</u>	<u>1.6X10²</u>	<u>6.0X10⁻¹</u>	<u>1.6X10¹</u>	<u>3.0X10³</u>	<u>8.1X10⁴</u>
Nd-149		<u>6.0X10⁻¹</u>	<u>1.6X10¹</u>	<u>5.0X10⁻¹</u>	<u>1.4X10¹</u>	<u>4.5X10⁵</u>	<u>1.2X10²</u>
Ni-59	Nickel (28)	<u>Unlimited</u>	<u>Unlimited</u>	<u>Unlimited</u>	<u>Unlimited</u>	<u>3.0X10⁻³</u>	<u>8.0X10⁻²</u>
Ni-63		<u>4.0X10¹</u>	<u>1.1X10³</u>	<u>3.0X10¹</u>	<u>8.1X10²</u>	<u>2.1</u>	<u>5.7X10¹</u>
Ni-65		<u>4.0X10⁻¹</u>	<u>1.1X10¹</u>	<u>4.0X10⁻¹</u>	<u>1.1X10¹</u>	<u>7.1X10⁵</u>	<u>1.9X10²</u>
Np-235	Neptunium (93)	<u>4.0X10¹</u>	<u>1.1X10³</u>	<u>4.0X10¹</u>	<u>1.1X10³</u>	<u>5.2X10¹</u>	<u>1.4X10³</u>
Np-236 (short-lived)		<u>2.0X10¹</u>	<u>5.4X10²</u>	<u>2.0</u>	<u>5.4X10¹</u>	<u>4.7X10⁻⁴</u>	<u>1.3X10⁻²</u>
Np-236 (long-lived)		<u>9.0X10⁰</u>	<u>2.4X10²</u>	<u>2.0X10⁻²</u>	<u>5.4X10⁻¹</u>	<u>4.7X10⁻⁴</u>	<u>1.3X10⁻²</u>
Np-237		<u>2.0X10¹</u>	<u>5.4X10²</u>	<u>2.0X10⁻³</u>	<u>5.4X10⁻²</u>	<u>2.6X10⁻⁵</u>	<u>7.1X10⁻⁴</u>
Np-239		<u>7.0</u>	<u>1.9X10²</u>	<u>4.0X10⁻¹</u>	<u>1.1X10¹</u>	<u>8.6X10³</u>	<u>2.3X10⁵</u>
Os-185	Osmium (76)	<u>1.0</u>	<u>2.7X10¹</u>	<u>1.0</u>	<u>2.7X10¹</u>	<u>2.8X10²</u>	<u>7.5X10³</u>
Os-191		<u>1.0X10¹</u>	<u>2.7X10²</u>	<u>2.0</u>	<u>5.4X10¹</u>	<u>1.6X10³</u>	<u>4.4X10⁴</u>
Os-191m		<u>4.0X10¹</u>	<u>1.1X10³</u>	<u>3.0X10¹</u>	<u>8.1X10²</u>	<u>4.6X10⁴</u>	<u>1.3X10⁶</u>
Os-193		<u>2.0</u>	<u>5.4X10¹</u>	<u>6.0X10⁻¹</u>	<u>1.6X10¹</u>	<u>b2.0X10⁴</u>	<u>5.3X10⁵</u>
Os-194 (a)		<u>3.0X10⁻¹</u>	<u>8.1</u>	<u>3.0X10⁻¹</u>	<u>8.1</u>	<u>1.1X10¹</u>	<u>3.1X10²</u>
P-32	Phosphorus (15)	<u>5.0X10⁻¹</u>	<u>1.4X10¹</u>	<u>5.0X10⁻¹</u>	<u>1.4X10¹</u>	<u>1.1X10⁴</u>	<u>2.9X10⁵</u>
P-33		<u>4.0X10¹</u>	<u>1.1X10³</u>	<u>1.0</u>	<u>2.7X10¹</u>	<u>5.8X10³</u>	<u>1.6X10⁵</u>
Pa-230 (a)	Protactinium (91)	<u>2.0</u>	<u>5.4X10¹</u>	<u>7.0X10⁻²</u>	<u>1.9</u>	<u>1.2X10³</u>	<u>3.3X10⁴</u>
Pa-231		<u>4.0</u>	<u>1.1X10²</u>	<u>4.0X10⁻⁴</u>	<u>1.1X10⁻²</u>	<u>1.7X10⁻³</u>	<u>4.7X10⁻²</u>
Pa-233		<u>5.0</u>	<u>1.4X10²</u>	<u>7.0X10⁻¹</u>	<u>1.9X10¹</u>	<u>7.7X10²</u>	<u>2.1X10⁴</u>
Pb-201	Lead (82)	<u>1.0</u>	<u>2.7X10¹</u>	<u>1.0</u>	<u>2.7X10¹</u>	<u>6.2X10⁴</u>	<u>1.7X10⁶</u>
Pb-202		<u>4.0X10¹</u>	<u>1.1X10³</u>	<u>2.0X10¹</u>	<u>5.4X10²</u>	<u>1.2X10⁻⁴</u>	<u>3.4X10⁻³</u>
Pb-203		<u>4.0</u>	<u>1.1X10²</u>	<u>3.0</u>	<u>8.1X10¹</u>	<u>1.1X10⁴</u>	<u>3.0X10⁵</u>
Pb-205		<u>Unlimited</u>	<u>Unlimited</u>	<u>Unlimited</u>	<u>Unlimited</u>	<u>4.5X10⁻⁶</u>	<u>1.2X10⁻⁴</u>
Pb-210 (a)		<u>1.0</u>	<u>2.7X10¹</u>	<u>5.0X10⁻²</u>	<u>1.4</u>	<u>2.8</u>	<u>7.6X10¹</u>
Pb-212 (a)		<u>7.0X10⁻¹</u>	<u>1.9X10¹</u>	<u>2.0X10⁻¹</u>	<u>5.4</u>	<u>5.1X10⁴</u>	<u>1.4X10⁶</u>
Pd-103 (a)	Palladium (46)	<u>4.0X10¹</u>	<u>1.1X10³</u>	<u>4.0X10¹</u>	<u>1.1X10³</u>	<u>2.8X10³</u>	<u>7.5X10⁴</u>
Pd-107		<u>Unlimited</u>	<u>Unlimited</u>	<u>Unlimited</u>	<u>Unlimited</u>	<u>1.9X10⁻⁵</u>	<u>5.1X10⁻⁴</u>
Pd-109		<u>2.0</u>	<u>5.4X10¹</u>	<u>5.0X10⁻¹</u>	<u>1.4X10¹</u>	<u>7.9X10⁴</u>	<u>2.1X10⁶</u>
Pm-143	Promethium (61)	<u>3.0</u>	<u>8.1X10¹</u>	<u>3.0</u>	<u>8.1X10¹</u>	<u>1.3X10²</u>	<u>3.4X10³</u>
Pm-144		<u>7.0X10⁻¹</u>	<u>1.9X10¹</u>	<u>7.0X10⁻¹</u>	<u>1.9X10¹</u>	<u>9.2X10¹</u>	<u>2.5X10³</u>
Pm-145		<u>3.0X10¹</u>	<u>8.1X10²</u>	<u>1.0X10¹</u>	<u>2.7X10²</u>	<u>5.2</u>	<u>1.4X10²</u>
Pm-147		<u>4.0X10¹</u>	<u>1.1X10³</u>	<u>2.0</u>	<u>5.4X10¹</u>	<u>3.4X10¹</u>	<u>9.3X10²</u>
Pm-148m (a)		<u>8.0X10⁻¹</u>	<u>2.2X10¹</u>	<u>7.0X10⁻¹</u>	<u>1.9X10¹</u>	<u>7.9X10²</u>	<u>2.1X10⁴</u>
Pm-149		<u>2.0</u>	<u>5.4X10¹</u>	<u>6.0X10⁻¹</u>	<u>1.6X10¹</u>	<u>1.5X10⁴</u>	<u>4.0X10⁵</u>
Pm-151		<u>2.0</u>	<u>5.4X10¹</u>	<u>6.0X10⁻¹</u>	<u>1.6X10¹</u>	<u>2.7X10⁴</u>	<u>7.3X10⁵</u>
Po-210	Polonium (84)	<u>4.0X10¹</u>	<u>1.1X10³</u>	<u>2.0X10⁻²</u>	<u>5.4X10⁻¹</u>	<u>1.7X10²</u>	<u>4.5X10³</u>
Pr-142	Praseodymium (59)	<u>4.0X10⁻¹</u>	<u>1.1X10¹</u>	<u>4.0X10⁻¹</u>	<u>1.1X10¹</u>	<u>4.3X10⁴</u>	<u>1.2X10⁶</u>
Pr-143		<u>3.0</u>	<u>8.1X10¹</u>	<u>6.0X10⁻¹</u>	<u>1.6X10¹</u>	<u>2.5X10³</u>	<u>6.7X10⁴</u>
Pt-188 (a)	Platinum (78)	<u>1.0</u>	<u>2.7X10¹</u>	<u>8.0X10⁻¹</u>	<u>2.2X10¹</u>	<u>2.5X10³</u>	<u>6.8X10⁴</u>
Pt-191		<u>4.0</u>	<u>1.1X10²</u>	<u>3.0</u>	<u>8.1X10¹</u>	<u>8.7X10³</u>	<u>2.4X10⁵</u>
Pt-193		<u>4.0X10¹</u>	<u>1.1X10³</u>	<u>4.0X10¹</u>	<u>1.1X10³</u>	<u>1.4</u>	<u>3.7X10¹</u>
Pt-193m		<u>4.0X10¹</u>	<u>1.1X10³</u>	<u>5.0X10⁻¹</u>	<u>1.4X10¹</u>	<u>5.8X10³</u>	<u>1.6X10⁵</u>
Pt-195m		<u>1.0X10¹</u>	<u>2.7X10²</u>	<u>5.0X10⁻¹</u>	<u>1.4X10¹</u>	<u>6.2X10³</u>	<u>1.7X10⁵</u>
Pt-197		<u>2.0X10¹</u>	<u>5.4X10²</u>	<u>6.0X10⁻¹</u>	<u>1.6X10¹</u>	<u>3.2X10⁴</u>	<u>8.7X10⁵</u>
Pt-197m		<u>1.0X10¹</u>	<u>2.7X10²</u>	<u>6.0X10⁻¹</u>	<u>1.6X10¹</u>	<u>3.7X10⁵</u>	<u>1.0X10²</u>
Pu-236	Plutonium (94)	<u>3.0X10¹</u>	<u>8.1X10²</u>	<u>3.0X10⁻³</u>	<u>8.1X10²</u>	<u>2.0X10¹</u>	<u>5.3X10²</u>
Pu-237		<u>2.0X10¹</u>	<u>5.4X10²</u>	<u>2.0X10¹</u>	<u>5.4X10²</u>	<u>4.5X10²</u>	<u>1.2X10⁴</u>
Pu-238		<u>1.0X10¹</u>	<u>2.7X10²</u>	<u>1.0X10⁻³</u>	<u>2.7X10²</u>	<u>6.3X10⁻¹</u>	<u>1.7X10¹</u>
Pu-239		<u>1.0X10¹</u>	<u>2.7X10²</u>	<u>1.0X10⁻³</u>	<u>2.7X10²</u>	<u>2.3X10⁻³</u>	<u>6.2X10⁻²</u>

Symbol of radionuclide	Element and atomic number	A1 (TBq)	A1 (Ci) ^b	A2 (TBq)	A2 (Ci) ^b	Specific activity	
						(TBq/g)	(Ci/g)
Pu-240		<u>1.0X10¹</u>	<u>2.7X10²</u>	<u>1.0X10⁻³</u>	<u>2.7X10⁻²</u>	<u>8.4X10⁻³</u>	<u>2.3X10⁻¹</u>
Pu-241 (a)		<u>4.0X10¹</u>	<u>1.1X10³</u>	<u>6.0X10⁻²</u>	<u>1.6</u>	<u>3.8</u>	<u>1.0X10²</u>
Pu-242		<u>1.0X10¹</u>	<u>2.7X10²</u>	<u>1.0X10⁻³</u>	<u>2.7X10⁻²</u>	<u>1.5X10⁻⁴</u>	<u>3.9X10⁻³</u>
Pu-244 (a)		<u>4.0X10⁻¹</u>	<u>1.1X10¹</u>	<u>1.0X10⁻³</u>	<u>2.7X10⁻²</u>	<u>6.7X10⁻⁷</u>	<u>1.8X10⁻⁵</u>
Ra-223 (a)	Radium (88)	<u>4.0X10⁻¹</u>	<u>1.1X10¹</u>	<u>7.0X10⁻³</u>	<u>1.9X10⁻¹</u>	<u>1.9X10³</u>	<u>5.1X10⁴</u>
Ra-224 (a)		<u>4.0X10⁻¹</u>	<u>1.1X10¹</u>	<u>2.0X10⁻²</u>	<u>5.4X10⁻¹</u>	<u>5.9X10³</u>	<u>1.6X10⁵</u>
Ra-225 (a)		<u>2.0X10⁻¹</u>	<u>5.4</u>	<u>4.0X10⁻³</u>	<u>1.1X10⁻¹</u>	<u>1.5X10³</u>	<u>3.9X10⁴</u>
Ra-226 (a)		<u>2.0X10⁻¹</u>	<u>5.4</u>	<u>3.0X10⁻³</u>	<u>8.1X10⁻²</u>	<u>3.7X10⁻²</u>	<u>1.0</u>
Ra-228 (a)		<u>6.0X10⁻¹</u>	<u>1.6X10¹</u>	<u>2.0X10⁻²</u>	<u>5.4X10⁻¹</u>	<u>1.0X10¹</u>	<u>2.7X10²</u>
Rb-81	Rubidium (37)	<u>2.0</u>	<u>5.4X10¹</u>	<u>8.0X10⁻¹</u>	<u>2.2X10¹</u>	<u>3.1X10⁵</u>	<u>8.4X10⁶</u>
Rb-83 (a)		<u>2.0</u>	<u>5.4X10¹</u>	<u>2.0</u>	<u>5.4X10¹</u>	<u>6.8X10²</u>	<u>1.8X10⁴</u>
Rb-84		<u>1.0</u>	<u>2.7X10¹</u>	<u>1.0</u>	<u>2.7X10¹</u>	<u>1.8X10³</u>	<u>4.7X10⁴</u>
Rb-86		<u>5.0X10⁻¹</u>	<u>1.4X10¹</u>	<u>5.0X10⁻¹</u>	<u>1.4X10¹</u>	<u>3.0X10³</u>	<u>8.1X10⁴</u>
Rb-87		<u>Unlimited</u>	<u>Unlimited</u>	<u>Unlimited</u>	<u>Unlimited</u>	<u>3.2X10⁻⁹</u>	<u>8.6X10⁻⁸</u>
Rb (nat)		<u>Unlimited</u>	<u>Unlimited</u>	<u>Unlimited</u>	<u>Unlimited</u>	<u>6.7X10⁶</u>	<u>1.8X10⁸</u>
Re-184	Rhenium (75)	<u>1.0</u>	<u>2.7X10¹</u>	<u>1.0</u>	<u>2.7X10¹</u>	<u>6.9X10²</u>	<u>1.9X10⁴</u>
Re-184m		<u>3.0</u>	<u>8.1X10¹</u>	<u>1.0</u>	<u>2.7X10¹</u>	<u>1.6X10²</u>	<u>4.3X10³</u>
Re-186		<u>2.0</u>	<u>5.4X10¹</u>	<u>6.0X10⁻¹</u>	<u>1.6X10¹</u>	<u>6.9X10³</u>	<u>1.9X10⁵</u>
Re-187		<u>Unlimited</u>	<u>Unlimited</u>	<u>Unlimited</u>	<u>Unlimited</u>	<u>1.4X10⁻⁹</u>	<u>3.8X10⁻⁸</u>
Re-188		<u>4.0X10⁻¹</u>	<u>1.1X10¹</u>	<u>4.0X10⁻¹</u>	<u>1.1X10¹</u>	<u>3.6X10⁴</u>	<u>9.8X10⁵</u>
Re-189 (a)		<u>3.0</u>	<u>8.1X10¹</u>	<u>6.0X10⁻¹</u>	<u>1.6X10¹</u>	<u>2.5X10⁴</u>	<u>6.8X10⁵</u>
Re (nat)		<u>Unlimited</u>	<u>Unlimited</u>	<u>Unlimited</u>	<u>Unlimited</u>	<u>0.0</u>	<u>2.4X10⁻⁸</u>
Rh-99	Rhodium (45)	<u>2.0</u>	<u>5.4X10¹</u>	<u>2.0</u>	<u>5.4X10¹</u>	<u>3.0X10³</u>	<u>8.2X10⁴</u>
Rh-101		<u>4.0</u>	<u>1.1X10²</u>	<u>3.0</u>	<u>8.1X10¹</u>	<u>4.1X10¹</u>	<u>1.1X10³</u>
Rh-102		<u>5.0X10⁻¹</u>	<u>1.4X10¹</u>	<u>5.0X10⁻¹</u>	<u>1.4X10¹</u>	<u>4.5X10¹</u>	<u>1.2X10³</u>
Rh-102m		<u>2.0</u>	<u>5.4X10¹</u>	<u>2.0</u>	<u>5.4X10¹</u>	<u>2.3X10²</u>	<u>6.2X10³</u>
Rh-103m		<u>4.0X10¹</u>	<u>1.1X10³</u>	<u>4.0X10¹</u>	<u>1.1X10³</u>	<u>1.2X10⁶</u>	<u>3.3X10⁷</u>
Rh-105		<u>1.0X10¹</u>	<u>2.7X10²</u>	<u>8.0X10⁻¹</u>	<u>2.2X10¹</u>	<u>3.1X10⁴</u>	<u>8.4X10⁵</u>
Rn-222 (a)	Radon (86)	<u>3.0X10⁻¹</u>	<u>8.1</u>	<u>4.0X10⁻³</u>	<u>1.1X10⁻¹</u>	<u>5.7X10³</u>	<u>1.5X10⁵</u>
Ru-97	Ruthenium (44)	<u>5.0</u>	<u>1.4X10²</u>	<u>5.0</u>	<u>1.4X10²</u>	<u>1.7X10⁴</u>	<u>4.6X10⁵</u>
Ru-103 (a)		<u>2.0</u>	<u>5.4X10¹</u>	<u>2.0</u>	<u>5.4X10¹</u>	<u>1.2X10³</u>	<u>3.2X10⁴</u>
Ru-105		<u>1.0</u>	<u>2.7X10¹</u>	<u>6.0X10⁻¹</u>	<u>1.6X10¹</u>	<u>2.5X10⁵</u>	<u>6.7X10⁶</u>
Ru-106 (a)		<u>2.0X10⁻¹</u>	<u>5.4</u>	<u>2.0X10⁻¹</u>	<u>5.4</u>	<u>1.2X10²</u>	<u>3.3X10³</u>
S-35	Sulphur (16)	<u>4.0X10¹</u>	<u>1.1X10³</u>	<u>3.0</u>	<u>8.1X10¹</u>	<u>1.6X10³</u>	<u>4.3X10⁴</u>
Sb-122	Antimony (51)	<u>4.0X10⁻¹</u>	<u>1.1X10¹</u>	<u>4.0X10⁻¹</u>	<u>1.1X10¹</u>	<u>1.5X10⁴</u>	<u>4.0X10⁵</u>
Sb-124		<u>6.0X10⁻¹</u>	<u>1.6X10¹</u>	<u>6.0X10⁻¹</u>	<u>1.6X10¹</u>	<u>6.5X10²</u>	<u>1.7X10⁴</u>
Sb-125		<u>2.0</u>	<u>5.4X10¹</u>	<u>1.0</u>	<u>2.7X10¹</u>	<u>3.9X10¹</u>	<u>1.0X10³</u>
Sb-126		<u>4.0X10⁻¹</u>	<u>1.1X10¹</u>	<u>4.0X10⁻¹</u>	<u>1.1X10¹</u>	<u>3.1X10³</u>	<u>8.4X10⁴</u>
Sc-44	Scandium (21)	<u>5.0X10⁻¹</u>	<u>1.4X10¹</u>	<u>5.0X10⁻¹</u>	<u>1.4X10¹</u>	<u>6.7X10⁵</u>	<u>1.8X10⁷</u>
Sc-46		<u>5.0X10⁻¹</u>	<u>1.4X10¹</u>	<u>5.0X10⁻¹</u>	<u>1.4X10¹</u>	<u>1.3X10³</u>	<u>3.4X10⁴</u>
Sc-47		<u>1.0X10⁴</u>	<u>2.7X10²</u>	<u>7.0X10⁻¹</u>	<u>1.9X10¹</u>	<u>3.1X10⁴</u>	<u>8.3X10⁵</u>
Sc-48		<u>3.0X10⁻¹</u>	<u>8.1</u>	<u>3.0X10⁻¹</u>	<u>8.1</u>	<u>5.5X10⁴</u>	<u>1.5X10⁶</u>
Se-75	Selenium (34)	<u>3.0</u>	<u>8.1X10¹</u>	<u>3.0</u>	<u>8.1X10¹</u>	<u>5.4X10²</u>	<u>1.5X10⁴</u>
Se-79		<u>4.0X10¹</u>	<u>1.1X10³</u>	<u>2.0</u>	<u>5.4X10¹</u>	<u>2.6X10⁻³</u>	<u>7.0X10⁻²</u>
Si-31	Silicon (14)	<u>6.0X10⁻¹</u>	<u>1.6X10¹</u>	<u>6.0X10⁻¹</u>	<u>1.6X10¹</u>	<u>1.4X10⁶</u>	<u>3.9X10⁷</u>
Si-32		<u>4.0X10¹</u>	<u>1.1X10³</u>	<u>5.0X10⁻¹</u>	<u>1.4X10¹</u>	<u>3.9</u>	<u>1.1X10²</u>
Sm-145	Samarium (62)	<u>1.0X10⁴</u>	<u>2.7X10²</u>	<u>1.0X10¹</u>	<u>2.7X10²</u>	<u>9.8X10¹</u>	<u>2.6X10³</u>
Sm-147		<u>Unlimited</u>	<u>Unlimited</u>	<u>Unlimited</u>	<u>Unlimited</u>	<u>8.5X10⁻¹</u>	<u>2.3X10⁻⁸</u>
Sm-151		<u>4.0X10¹</u>	<u>1.1X10²</u>	<u>1.0X10¹</u>	<u>2.7X10²</u>	<u>9.7X10⁻¹</u>	<u>2.6X10⁻¹</u>
Sm-153		<u>9.0</u>	<u>2.4X10²</u>	<u>6.0X10⁻¹</u>	<u>1.6X10¹</u>	<u>1.6X10⁴</u>	<u>4.4X10⁵</u>
Sn-113 (a)	Tin (50)	<u>4.0</u>	<u>1.1X10²</u>	<u>2.0</u>	<u>5.4X10¹</u>	<u>3.7X10²</u>	<u>1.0X10⁴</u>
Sn-117m		<u>7.0</u>	<u>1.9X10²</u>	<u>4.0X10⁻¹</u>	<u>1.1X10¹</u>	<u>3.0X10³</u>	<u>8.2X10⁴</u>

Symbol of radionuclide	Element and atomic number	A1 (TBq)	A1 (Ci) ^b	A2 (TBq)	A2 (Ci) ^b	Specific activity	
						(TBq/g)	(Ci/g)
Sn-119m		4.0X10 ⁻¹	1.1X10 ³	3.0X10 ⁻¹	8.1X10 ²	1.4X10 ²	3.7X10 ⁴
Sn-121m (a)		4.0X10 ⁻¹	1.1X10 ³	9.0X10 ⁻¹	2.4X10 ¹	2.0	5.4X10 ¹
Sn-123		8.0X10 ⁻¹	2.2X10 ¹	6.0X10 ⁻¹	1.6X10 ¹	3.0X10 ²	8.2X10 ³
Sn-125		4.0X10 ⁻¹	1.1X10 ¹	4.0X10 ⁻¹	1.1X10 ¹	4.0X10 ²	1.1X10 ⁵
Sn-126 (a)		6.0X10 ⁻¹	1.6X10 ¹	4.0X10 ⁻¹	1.1X10 ¹	1.0X10 ⁻³	2.8X10 ⁻²
Sr-82 (a)	Strontium (38)	2.0X10 ⁻¹	5.4	2.0X10 ⁻¹	5.4	2.3X10 ³	6.2X10 ⁴
Sr-85		2.0	5.4X10 ⁻¹	2.0	5.4X10 ⁻¹	8.8X10 ²	2.4X10 ⁴
Sr-85m		5.0	1.4X10 ²	5.0	1.4X10 ²	1.2X10 ⁶	3.3X10 ⁷
Sr-87m		3.0	8.1X10 ⁻¹	3.0	8.1X10 ⁻¹	4.8X10 ⁵	1.3X10 ⁷
Sr-89		6.0X10 ⁻¹	1.6X10 ¹	6.0X10 ⁻¹	1.6X10 ¹	1.1X10 ³	2.9X10 ⁴
Sr-90 (a)		3.0X10 ⁻¹	8.1	3.0X10 ⁻¹	8.1	5.1	1.4X10 ²
Sr-91 (a)		3.0X10 ⁻¹	8.1	3.0X10 ⁻¹	8.1	1.3X10 ⁵	3.6X10 ⁶
Sr-92 (a)		1.0	2.7X10 ⁻¹	3.0X10 ⁻¹	8.1	4.7X10 ⁵	1.3X10 ⁷
T(H-3)	Tritium (1)	4.0X10 ⁻¹	1.1X10 ³	4.0X10 ⁻¹	1.1X10 ³	3.6X10 ²	9.7X10 ³
Ta-178 (long-lived)	Tantalum (73)	1.0	2.7X10 ⁻¹	8.0X10 ⁻¹	2.2X10 ¹	4.2X10 ⁶	1.1X10 ⁸
Ta-179		3.0X10 ⁻¹	8.1X10 ²	3.0X10 ⁻¹	8.1X10 ²	4.1X10 ¹	1.1X10 ³
Ta-182		9.0X10 ⁻¹	2.4X10 ⁻¹	5.0X10 ⁻¹	1.4X10 ¹	2.3X10 ²	6.2X10 ³
Tb-157	Terbium (65)	4.0X10 ⁻¹	1.1X10 ³	4.0X10 ⁻¹	1.1X10 ³	5.6X10 ⁻¹	1.5X10 ¹
Tb-158		1.0	2.7X10 ⁻¹	1.0	2.7X10 ⁻¹	5.6X10 ⁻¹	1.5X10 ¹
Tb-160		1.0	2.7X10 ⁻¹	6.0X10 ⁻¹	1.6X10 ¹	4.2X10 ²	1.1X10 ⁴
Tc-95m (a)	Technetium (43)	2.0	5.4X10 ⁻¹	2.0	5.4X10 ⁻¹	8.3X10 ²	2.2X10 ⁴
Tc-96		4.0X10 ⁻¹	1.1X10 ¹	4.0X10 ⁻¹	1.1X10 ¹	1.2X10 ⁴	3.2X10 ⁵
Tc-96m (a)		4.0X10 ⁻¹	1.1X10 ¹	4.0X10 ⁻¹	1.1X10 ¹	1.4X10 ⁶	3.8X10 ⁷
Tc-97		Unlimited	Unlimited	Unlimited	Unlimited	5.2X10 ⁻⁵	1.4X10 ⁻³
Tc-97m		4.0X10 ⁻¹	1.1X10 ³	1.0	2.7X10 ⁻¹	5.6X10 ²	1.5X10 ⁴
Tc-98		8.0X10 ⁻¹	2.2X10 ⁻¹	7.0X10 ⁻¹	1.9X10 ¹	3.2X10 ⁻⁵	8.7X10 ⁻⁴
Tc-99		4.0X10 ⁻¹	1.1X10 ³	9.0X10 ⁻¹	2.4X10 ¹	6.3X10 ⁻⁴	1.7X10 ⁻²
Tc-99m		1.0X10 ⁻¹	2.7X10 ²	4.0	1.1X10 ²	1.9X10 ⁵	5.3X10 ⁶
Te-121	Tellurium (52)	2.0	5.4X10 ⁻¹	2.0	5.4X10 ⁻¹	2.4X10 ³	6.4X10 ⁴
Te-121m		5.0	1.4X10 ²	3.0	8.1X10 ⁻¹	2.6X10 ²	7.0X10 ³
Te-123m		8.0	2.2X10 ²	1.0	2.7X10 ⁻¹	3.3X10 ²	8.9X10 ³
Te-125m		2.0X10 ⁻¹	5.4X10 ²	9.0X10 ⁻¹	2.4X10 ¹	6.7X10 ²	1.8X10 ⁴
Te-127		2.0X10 ⁻¹	5.4X10 ²	7.0X10 ⁻¹	1.9X10 ¹	9.8X10 ⁴	2.6X10 ⁶
Te-127m (a)		2.0X10 ⁻¹	5.4X10 ²	5.0X10 ⁻¹	1.4X10 ¹	3.5X10 ²	9.4X10 ³
Te-129		7.0X10 ⁻¹	1.9X10 ¹	6.0X10 ⁻¹	1.6X10 ¹	7.7X10 ⁵	2.1X10 ⁷
Te-129m (a)		8.0X10 ⁻¹	2.2X10 ¹	4.0X10 ⁻¹	1.1X10 ¹	1.1X10 ³	3.0X10 ⁴
Te-131m (a)		7.0X10 ⁻¹	1.9X10 ¹	5.0X10 ⁻¹	1.4X10 ¹	3.0X10 ⁴	8.0X10 ⁵
Te-132 (a)		5.0X10 ⁻¹	1.4X10 ¹	4.0X10 ⁻¹	1.1X10 ¹	3.1X10 ⁴	3.0X10 ⁵
Th-227	Thorium (90)	1.0X10 ⁻¹	2.7X10 ²	5.0X10 ⁻³	1.4X10 ⁻¹	1.1X10 ³	3.1X10 ⁴
Th-228 (a)		5.0X10 ⁻¹	1.4X10 ¹	1.0X10 ⁻³	2.7X10 ⁻²	3.0X10 ¹	8.2X10 ²
Th-229		5.0	1.4X10 ²	5.0X10 ⁻⁴	1.4X10 ⁻²	7.9X10 ⁻³	2.1X10 ⁻¹
Th-230		1.0X10 ⁻¹	2.7X10 ²	1.0X10 ⁻³	2.7X10 ⁻²	7.6X10 ⁻⁴	2.1X10 ⁻²
Th-231		4.0X10 ⁻¹	1.1X10 ³	2.0X10 ⁻²	5.4X10 ⁻¹	2.0X10 ⁴	5.3X10 ⁵
Th-232		Unlimited	Unlimited	Unlimited	Unlimited	4.0X10 ⁻⁹	1.1X10 ⁻⁷
Th-234 (a)		3.0X10 ⁻¹	8.1	3.0X10 ⁻¹	8.1	8.6X10 ²	2.3X10 ⁴
Th(nat)		Unlimited	Unlimited	Unlimited	Unlimited	8.1X10 ⁻⁹	2.2X10 ⁻⁷
Ti-44 (a)	Titanium (22)	5.0X10 ⁻¹	1.4X10 ¹	4.0X10 ⁻¹	1.1X10 ¹	6.4	1.7X10 ²
Tl-200	Thallium (81)	9.0X10 ⁻¹	2.4X10 ¹	9.0X10 ⁻¹	2.4X10 ¹	2.2X10 ⁴	6.0X10 ⁵
Tl-201		1.0X10 ⁻¹	2.7X10 ²	4.0	1.1X10 ²	7.9X10 ³	2.1X10 ⁵
Tl-202		2.0	5.4X10 ⁻¹	2.0	5.4X10 ⁻¹	2.0X10 ³	5.3X10 ⁴
Tl-204		1.0X10 ⁻¹	2.7X10 ²	7.0X10 ⁻¹	1.9X10 ¹	1.7X10 ¹	4.6X10 ²

Symbol of radionuclide	Element and atomic number	A1 (TBq)	A1 (Ci) ^b	A2 (TBq)	A2 (Ci) ^b	Specific activity	
						(TBq/g)	(Ci/g)
Tm-167	Thulium (69)	7.0	1.9X10 ²	8.0X10 ⁻¹	2.2X10 ⁻¹	3.1X10 ³	8.5X10 ⁴
Tm-170		3.0	8.1X10 ¹	6.0X10 ⁻¹	1.6X10 ⁻¹	2.2X10 ²	6.0X10 ³
Tm-171		4.0X10 ¹	1.1X10 ³	4.0X10 ⁻¹	1.1X10 ³	4.0X10 ¹	1.1X10 ³
U-230 (fast lung absorption) (a)(d)	Uranium (92)	4.0X10 ¹	1.1X10 ³	1.0X10 ⁻¹	2.7	1.0X10 ³	2.7X10 ⁴
U-230 (medium lung absorption) (a)(e)		4.0X10 ¹	1.1X10 ³	4.0X10 ⁻³	1.1X10 ⁻¹	1.0X10 ³	2.7X10 ⁴
U-230 (slow lung absorption) (a)(f)			3.0X10 ¹	8.1X10 ²	3.0X10 ⁻³	8.1X10 ⁻²	1.0X10 ³
U-232 (fast lung absorption) (d)			4.0X10 ¹	1.1X10 ³	1.0X10 ⁻²	2.7X10 ⁻¹	8.3X10 ⁻¹
U-232 (medium lung absorption) (e)			4.0X10 ¹	1.1X10 ³	7.0X10 ⁻³	1.9X10 ⁻¹	8.3X10 ⁻¹
U-232 (slow lung absorption) (f)			1.0X10 ¹	2.7X10 ²	1.0X10 ⁻³	2.7X10 ⁻²	8.3X10 ⁻¹
U-233 (fast lung absorption) (d)			4.0X10 ¹	1.1X10 ³	9.0X10 ⁻²	2.4	3.6X10 ⁻⁴
U-233 (medium lung absorption) (e)			4.0X10 ¹	1.1X10 ³	2.0X10 ⁻²	5.4X10 ⁻¹	3.6X10 ⁻⁴
U-233 (slow lung absorption) (f)			4.0X10 ¹	1.1X10 ³	6.0X10 ⁻³	1.6X10 ⁻¹	3.6X10 ⁻⁴
U-234 (fast lung absorption) (d)			4.0X10 ¹	1.1X10 ³	9.0X10 ⁻²	2.4	2.3X10 ⁻⁴
U-234 (medium lung absorption) (e)			4.0X10 ¹	1.1X10 ³	2.0X10 ⁻²	5.4X10 ⁻¹	2.3X10 ⁻⁴
U-234 (slow lung absorption) (f)			4.0X10 ¹	1.1X10 ³	6.0X10 ⁻³	1.6X10 ⁻¹	2.3X10 ⁻⁴
U-235 (all lung absorption types) (a), (d), (e), (f)		Unlimited	Unlimited	Unlimited	Unlimited	8.0X10 ⁻⁸	2.2X10 ⁻⁶
U-236 (fast lung absorption) (d)		Unlimited	Unlimited	Unlimited	Unlimited	2.4X10 ⁻⁶	6.5X10 ⁻⁵
U-236 (medium lung absorption) (e)		4.0X10 ¹	1.1X10 ³	2.0X10 ⁻²	5.4X10 ⁻¹	2.4X10 ⁻⁶	6.5X10 ⁻⁵
U-236 (slow lung absorption) (f)		4.0X10 ¹	1.1X10 ³	6.0X10 ⁻³	1.6X10 ⁻¹	2.4X10 ⁻⁶	6.5X10 ⁻⁵
U-238 (all lung absorption types) (d), (e), (f)		Unlimited	Unlimited	Unlimited	Unlimited	1.2X10 ⁻⁸	3.4X10 ⁻⁷
U (nat)		Unlimited	Unlimited	Unlimited	Unlimited	2.6X10 ⁻⁸	7.1X10 ⁻⁷
U (enriched to 20% or less) (g)		Unlimited	Unlimited	Unlimited	Unlimited	See Table A-4	See Table A-4
U (dep)		Unlimited	Unlimited	Unlimited	Unlimited	See Table A-4	See Table A-3
V-48	Vanadium (23)	4.0X10 ⁻¹	1.1X10 ¹	4.0X10 ⁻¹	1.1X10 ¹	6.3X10 ³	1.7X10 ⁵
V-49		4.0X10 ¹	1.1X10 ³	4.0X10 ⁻¹	1.1X10 ³	3.0X10 ²	8.1X10 ³
W-178 (a)	Tungsten (74)	9.0	2.4X10 ²	5.0	1.4X10 ²	1.3X10 ³	3.4X10 ⁴
W-181		3.0X10 ¹	8.1X10 ²	3.0X10 ¹	8.1X10 ²	2.2X10 ²	6.0X10 ³
W-185		4.0X10 ¹	1.1X10 ³	8.0X10 ⁻¹	2.2X10 ¹	3.5X10 ²	9.4X10 ³
W-187		2.0	5.4X10 ¹	6.0X10 ⁻¹	1.6X10 ¹	2.6X10 ⁴	7.0X10 ⁵
W-188 (a)		4.0X10 ⁻¹	1.1X10 ¹	3.0X10 ⁻¹	8.1	3.7X10 ²	1.0X10 ⁴
Xe-122 (a)	Xenon (54)	4.0X10 ⁻¹	1.1X10 ¹	4.0X10 ⁻¹	1.1X10 ¹	4.8X10 ⁴	1.3X10 ⁶
Xe-123		2.0	5.4X10 ¹	7.0X10 ⁻¹	1.9X10 ¹	4.4X10 ⁵	1.2X10 ⁷
Xe-127		4.0	1.1X10 ²	2.0	5.4X10 ¹	1.0X10 ³	2.8X10 ⁴

Symbol of radionuclide	Element and atomic number	A1 (TBq)	A1 (Ci) ^b	A2 (TBq)	A2 (Ci) ^b	Specific activity	
						(TBq/g)	(Ci/g)
Xe-131m		4.0X10 ⁻¹	1.1X10 ³	4.0X10 ⁻¹	1.1X10 ³	3.1X10 ³	8.4X10 ⁴
Xe-133		2.0X10 ⁻¹	5.4X10 ²	1.0X10 ⁻¹	2.7X10 ²	6.9X10 ³	1.9X10 ⁵
Xe-135		3.0	8.1X10 ⁻¹	2.0	5.4X10 ⁻¹	9.5X10 ⁴	2.6X10 ⁶
Y-87 (a)	Yttrium (39)	1.0	2.7X10 ⁻¹	1.0	2.7X10 ⁻¹	1.7X10 ⁴	4.5X10 ⁵
Y-88		4.0X10 ⁻¹	1.1X10 ¹	4.0X10 ⁻¹	1.1X10 ¹	5.2X10 ²	1.4X10 ⁴
Y-90		3.0X10 ⁻¹	8.1	3.0X10 ⁻¹	8.1	2.0X10 ⁴	5.4X10 ⁵
Y-91		6.0X10 ⁻¹	1.6X10 ⁻¹	6.0X10 ⁻¹	1.6X10 ⁻¹	9.1X10 ²	2.5X10 ⁴
Y-91m		2.0	5.4X10 ⁻¹	2.0	5.4X10 ⁻¹	1.5X10 ⁶	4.2X10 ⁷
Y-92		2.0X10 ⁻¹	5.4	2.0X10 ⁻¹	5.4	3.6X10 ⁵	9.6X10 ⁶
Y-93		3.0X10 ⁻¹	8.1	3.0X10 ⁻¹	8.1	1.2X10 ⁵	3.3X10 ⁶
Yb-169	Ytterbium (70)	4.0	1.1X10 ²	1.0	2.7X10 ⁻¹	8.9X10 ²	2.4X10 ⁴
Yb-175		3.0X10 ⁻¹	8.1X10 ²	9.0X10 ⁻¹	2.4X10 ⁻¹	6.6X10 ³	1.8X10 ⁵
Zn-65	Zinc (30)	2.0	5.4X10 ⁻¹	2.0	5.4X10 ⁻¹	3.0X10 ²	8.2X10 ³
Zn-69		3.0	8.1X10 ⁻¹	6.0X10 ⁻¹	1.6X10 ⁻¹	1.8X10 ⁶	4.9X10 ⁷
Zn-69m (a)		3.0	8.1X10 ⁻¹	6.0X10 ⁻¹	1.6X10 ⁻¹	1.2X10 ⁵	3.3X10 ⁶
Zr-88	Zirconium (40)	3.0	8.1X10 ⁻¹	3.0	8.1X10 ⁻¹	6.6X10 ²	1.8X10 ⁴
Zr-93		Unlimited	Unlimited	Unlimited	Unlimited	9.3X10 ⁻⁵	2.5X10 ⁻³
Zr-95 (a)		2.0	5.4X10 ⁻¹	8.0X10 ⁻¹	2.2X10 ⁻¹	7.9X10 ²	2.1X10 ⁴
Zr-97 (a)		4.0X10 ⁻¹	1.1X10 ⁻¹	4.0X10 ⁻¹	1.1X10 ⁻¹	7.1X10 ⁴	1.9X10 ⁶

((Table A-2.—General Values for A1 and A2

Contents	A1		A2	
	(TBq)	(Ci)	(TBq)	(Ci)
Only beta- or gamma-emitting nuclides are known to be present . . .	0.2	5	0.02	0.5
Alpha-emitting nuclides are known to be present; or no relevant data are available	0.10	2.70	2E-5	5.41E-4))

Table A-2.—Exempt Material Activity concentrations and Exempt Consignment Activity Limits for Radionuclides

Symbol of radionuclide	Element and atomic number	Activity concentration for exempt material (Bq/g)	Activity concentration for exempt material (Ci/g)	Activity limit for exempt consignment (Bq)	Activity limit for exempt consignment (Ci)
Ac-225	Actinium (89)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁴	2.7X10 ⁻⁷
Ac-227	-	1.0X10 ⁻¹	2.7X10 ⁻¹²	1.0X10 ³	2.7X10 ⁻⁸
Ac-228	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Ag-105	Silver (47)	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Ag-108m (b)	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Ag-110m	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Ag-111	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁶	2.7X10 ⁻⁵
Al-26	Aluminum (13)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
Am-241	Americium (95)	1.0	2.7X10 ⁻¹¹	1.0X10 ⁴	2.7X10 ⁻⁷
Am-242m (b)	-	1.0	2.7X10 ⁻¹¹	1.0X10 ⁴	2.7X10 ⁻⁷
Am-243 (b)	-	1.0	2.7X10 ⁻¹¹	1.0X10 ³	2.7X10 ⁻⁸
Ar-37	Argon (18)	1.0X10 ⁶	2.7X10 ⁻⁵	1.0X10 ⁸	2.7X10 ⁻³
Ar-39	-	1.0X10 ⁷	2.7X10 ⁻⁴	1.0X10 ⁴	2.7X10 ⁻⁷
Ar-41	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁹	2.7X10 ⁻²
As-72	Arsenic (33)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
As-73	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁷	2.7X10 ⁻⁴
As-74	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
As-76	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁵	2.7X10 ⁻⁶
As-77	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁶	2.7X10 ⁻⁵

Symbol of radionuclide	Element and atomic number	Activity concentration for exempt material (Bq/g)	Activity concentration for exempt material (Ci/g)	Activity limit for exempt consignment (Bq)	Activity limit for exempt consignment (Ci)
At-211	Astatine (85)	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁷	2.7X10 ⁻⁴
Au-193	Gold (79)	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁷	2.7X10 ⁻⁴
Au-194	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Au-195	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁷	2.7X10 ⁻⁴
Au-198	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Au-199	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Ba-131	Barium (56)	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Ba-133	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Ba-133m	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Ba-140 (b)	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
Be-7	Beryllium (4)	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁷	2.7X10 ⁻⁴
Be-10	-	1.0X10 ⁴	2.7X10 ⁻⁷	1.0X10 ⁶	2.7X10 ⁻⁵
Bi-205	Bismuth (83)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Bi-206	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
Bi-207	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Bi-210	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁶	2.7X10 ⁻⁵
Bi-210m	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
Bi-212 (b)	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
Bk-247	Berkelium (97)	1.0	2.7X10 ⁻¹¹	1.0X10 ⁴	2.7X10 ⁻⁷
Bk-249	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁶	2.7X10 ⁻⁵
Br-76	Bromine (35)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
Br-77	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Br-82	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
C-11	Carbon (6)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
C-14	-	1.0X10 ⁴	2.7X10 ⁻⁷	1.0X10 ⁷	2.7X10 ⁻⁴
Ca-41	Calcium (20)	1.0X10 ⁵	2.7X10 ⁻⁶	1.0X10 ⁷	2.7X10 ⁻⁴
Ca-45	-	1.0X10 ⁴	2.7X10 ⁻⁷	1.0X10 ⁷	2.7X10 ⁻⁴
Ca-47	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Cd-109	Cadmium (48)	1.0X10 ⁴	2.7X10 ⁻⁷	1.0X10 ⁶	2.7X10 ⁻⁵
Cd-113m	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁶	2.7X10 ⁻⁵
Cd-115	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Cd-115m	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁶	2.7X10 ⁻⁵
Ce-139	Cerium (58)	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Ce-141	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁷	2.7X10 ⁻⁴
Ce-143	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Ce-144 (b)	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁵	2.7X10 ⁻⁶
Cf-248	Californium (98)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁴	2.7X10 ⁻⁷
Cf-249	-	1.0	2.7X10 ⁻¹¹	1.0X10 ³	2.7X10 ⁻⁸
Cf-250	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁴	2.7X10 ⁻⁷
Cf-251	-	1.0	2.7X10 ⁻¹¹	1.0X10 ³	2.7X10 ⁻⁸
Cf-252	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁴	2.7X10 ⁻⁷
Cf-253	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁵	2.7X10 ⁻⁶
Cf-254	-	1.0	2.7X10 ⁻¹¹	1.0X10 ³	2.7X10 ⁻⁸
Cl-36	Chlorine (17)	1.0X10 ⁴	2.7X10 ⁻⁷	1.0X10 ⁶	2.7X10 ⁻⁵
Cl-38	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
Cm-240	Curium (96)	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁵	2.7X10 ⁻⁶
Cm-241	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Cm-242	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁵	2.7X10 ⁻⁶
Cm-243	-	1.0	2.7X10 ⁻¹¹	1.0X10 ⁴	2.7X10 ⁻⁷
Cm-244	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁴	2.7X10 ⁻⁷
Cm-245	-	1.0	2.7X10 ⁻¹¹	1.0X10 ³	2.7X10 ⁻⁸

Symbol of radionuclide	Element and atomic number	Activity concentration for exempt material (Bq/g)	Activity concentration for exempt material (Ci/g)	Activity limit for exempt consignment (Bq)	Activity limit for exempt consignment (Ci)
Cm-246	-	1.0	2.7X10 ⁻¹¹	1.0X10 ³	2.7X10 ⁻⁸
Cm-247	-	1.0	2.7X10 ⁻¹¹	1.0X10 ⁴	2.7X10 ⁻⁷
Cm-248	-	1.0	2.7X10 ⁻¹¹	1.0X10 ³	2.7X10 ⁻⁸
Co-55	Cobalt (27)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Co-56	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
Co-57	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Co-58	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Co-58m	-	1.0X10 ⁴	2.7X10 ⁻⁷	1.0X10 ⁷	2.7X10 ⁻⁴
Co-60	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
Cr-51	Chromium (24)	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁷	2.7X10 ⁻⁴
Cs-129	Cesium (55)	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁵	2.7X10 ⁻⁶
Cs-131	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁶	2.7X10 ⁻⁵
Cs-132	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
Cs-134	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁴	2.7X10 ⁻⁷
Cs-134m	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁵	2.7X10 ⁻⁶
Cs-135	-	1.0X10 ⁴	2.7X10 ⁻⁷	1.0X10 ⁷	2.7X10 ⁻⁴
Cs-136	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
Cs-137 (b)	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁴	2.7X10 ⁻⁷
Cu-64	Copper (29)	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Cu-67	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Dy-159	Dysprosium (66)	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁷	2.7X10 ⁻⁴
Dy-165	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁶	2.7X10 ⁻⁵
Dy-166	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁶	2.7X10 ⁻⁵
Er-169	Erbium (68)	1.0X10 ⁴	2.7X10 ⁻⁷	1.0X10 ⁷	2.7X10 ⁻⁴
Er-171	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Eu-147	Europium (63)	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Eu-148	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Eu-149	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁷	2.7X10 ⁻⁴
Eu-150 (short lived)	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁶	2.7X10 ⁻⁵
Eu-150 (long lived)	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Eu-152	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Eu-152m	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Eu-154	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Eu-155	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁷	2.7X10 ⁻⁴
Eu-156	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
F-18	Fluorine (9)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Fe-52	Iron (26)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Fe-55	-	1.0X10 ⁴	2.7X10 ⁻⁷	1.0X10 ⁶	2.7X10 ⁻⁵
Fe-59	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Fe-60	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁵	2.7X10 ⁻⁶
Ga-67	Gallium (31)	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Ga-68	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
Ga-72	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
Gd-146	Gadolinium (64)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Gd-148	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁴	2.7X10 ⁻⁷
Gd-153	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁷	2.7X10 ⁻⁴
Gd-159	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁶	2.7X10 ⁻⁵
Ge-68	Germanium (32)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
Ge-71	-	1.0X10 ⁴	2.7X10 ⁻⁷	1.0X10 ⁸	2.7X10 ⁻³
Ge-77	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
Hf-172	Hafnium (72)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵

Symbol of radionuclide	Element and atomic number	Activity concentration for exempt material (Bq/g)	Activity concentration for exempt material (Ci/g)	Activity limit for exempt consignment (Bq)	Activity limit for exempt consignment (Ci)
Hf-175	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Hf-181	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Hf-182	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Hg-194	Mercury (80)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Hg-195m	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Hg-197	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁷	2.7X10 ⁻⁴
Hg-197m	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Hg-203	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁵	2.7X10 ⁻⁶
Ho-166	Holmium (67)	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁵	2.7X10 ⁻⁶
Ho-166m	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
I-123	Iodine (53)	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁷	2.7X10 ⁻⁴
I-124	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
I-125	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁶	2.7X10 ⁻⁵
I-126	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
I-129	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁵	2.7X10 ⁻⁶
I-131	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
I-132	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
I-133	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
I-134	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
I-135	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
In-111	Indium (49)	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
In-113m	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
In-114m	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
In-115m	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Ir-189	Iridium (77)	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁷	2.7X10 ⁻⁴
Ir-190	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Ir-192	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁴	2.7X10 ⁻⁷
Ir-194	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁵	2.7X10 ⁻⁶
K-40	Potassium (19)	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
K-42	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
K-43	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Kr-81	Krypton (36)	1.0X10 ⁴	2.7X10 ⁻⁷	1.0X10 ⁷	2.7X10 ⁻⁴
Kr-85	-	1.0X10 ⁵	2.7X10 ⁻⁶	1.0X10 ⁴	2.7X10 ⁻⁷
Kr-85m	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ¹⁰	2.7X10 ⁻¹
Kr-87	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁹	2.7X10 ⁻²
La-137	Lanthanum (57)	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁷	2.7X10 ⁻⁴
La-140	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
Lu-172	Lutetium (71)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Lu-173	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁷	2.7X10 ⁻⁴
Lu-174	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁷	2.7X10 ⁻⁴
Lu-174m	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁷	2.7X10 ⁻⁴
Lu-177	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁷	2.7X10 ⁻⁴
Mg-28	Magnesium (12)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
Mn-52	Manganese (25)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
Mn-53	-	1.0X10 ⁴	2.7X10 ⁻⁷	1.0X10 ⁹	2.7X10 ⁻²
Mn-54	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Mn-56	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
Mo-93	Molybdenum (42)	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁸	2.7X10 ⁻³
Mo-99	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
N-13	Nitrogen (7)	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁹	2.7X10 ⁻²
Na-22	Sodium (11)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵

Symbol of radionuclide	Element and atomic number	Activity concentration for exempt material (Bq/g)	Activity concentration for exempt material (Ci/g)	Activity limit for exempt consignment (Bq)	Activity limit for exempt consignment (Ci)
Na-24	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
Nb-93m	Niobium (41)	1.0X10 ⁴	2.7X10 ⁻⁷	1.0X10 ⁷	2.7X10 ⁻⁴
Nb-94	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Nb-95	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Nb-97	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Nd-147	Neodymium (60)	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Nd-149	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Ni-59	Nickel (28)	1.0X10 ⁴	2.7X10 ⁻⁷	1.0X10 ⁸	2.7X10 ⁻³
Ni-63	-	1.0X10 ⁵	2.7X10 ⁻⁶	1.0X10 ⁸	2.7X10 ⁻³
Ni-65	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Np-235	Neptunium (93)	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁷	2.7X10 ⁻⁴
Np-236 (short-lived)	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁷	2.7X10 ⁻⁴
Np-236 (long-lived)	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁵	2.7X10 ⁻⁶
Np-237 (b)	-	1.0	2.7X10 ⁻¹¹	1.0X10 ³	2.7X10 ⁻⁸
Np-239	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁷	2.7X10 ⁻⁴
Os-185	Osmium (76)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Os-191	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁷	2.7X10 ⁻⁴
Os-191m	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁷	2.7X10 ⁻⁴
Os-193	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Os-194	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁵	2.7X10 ⁻⁶
P-32	Phosphorus (15)	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁵	2.7X10 ⁻⁶
P-33	-	1.0X10 ⁵	2.7X10 ⁻⁶	1.0X10 ⁸	2.7X10 ⁻³
Pa-230	Protactinium (91)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Pa-231	-	1.0	2.7X10 ⁻¹¹	1.0X10 ³	2.7X10 ⁻⁸
Pa-233	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁷	2.7X10 ⁻⁴
Pb-201	Lead (82)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Pb-202	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁶	2.7X10 ⁻⁵
Pb-203	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Pb-205	-	1.0X10 ⁴	2.7X10 ⁻⁷	1.0X10 ⁷	2.7X10 ⁻⁴
Pb-210 (b)	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁴	2.7X10 ⁻⁷
Pb-212 (b)	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
Pd-103	Palladium (46)	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁸	2.7X10 ⁻³
Pd-107	-	1.0X10 ⁵	2.7X10 ⁻⁶	1.0X10 ⁸	2.7X10 ⁻³
Pd-109	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁶	2.7X10 ⁻⁵
Pm-143	Promethium (61)	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Pm-144	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Pm-145	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁷	2.7X10 ⁻⁴
Pm-147	-	1.0X10 ⁴	2.7X10 ⁻⁷	1.0X10 ⁷	2.7X10 ⁻⁴
Pm-148m	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Pm-149	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁶	2.7X10 ⁻⁵
Pm-151	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Po-210	Polonium (84)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁴	2.7X10 ⁻⁷
Pr-142	Praseodymium (59)	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁵	2.7X10 ⁻⁶
Pr-143	-	1.0X10 ⁴	2.7X10 ⁻⁷	1.0X10 ⁶	2.7X10 ⁻⁵
Pt-188	Platinum (78)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Pt-191	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Pt-193	-	1.0X10 ⁴	2.7X10 ⁻⁷	1.0X10 ⁷	2.7X10 ⁻⁴
Pt-193m	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁷	2.7X10 ⁻⁴
Pt-195m	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Pt-197	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁶	2.7X10 ⁻⁵
Pt-197m	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵

Symbol of radionuclide	Element and atomic number	Activity concentration for exempt material (Bq/g)	Activity concentration for exempt material (Ci/g)	Activity limit for exempt consignment (Bq)	Activity limit for exempt consignment (Ci)
Pu-236	Plutonium (94)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁴	2.7X10 ⁻⁷
Pu-237	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁷	2.7X10 ⁻⁴
Pu-238	-	1.0	2.7X10 ⁻¹¹	1.0X10 ⁴	2.7X10 ⁻⁷
Pu-239	-	1.0	2.7X10 ⁻¹¹	1.0X10 ⁴	2.7X10 ⁻⁷
Pu-240	-	1.0	2.7X10 ⁻¹¹	1.0X10 ³	2.7X10 ⁻⁸
Pu-241	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁵	2.7X10 ⁻⁶
Pu-242	-	1.0	2.7X10 ⁻¹¹	1.0X10 ⁴	2.7X10 ⁻⁷
Pu-244	-	1.0	2.7X10 ⁻¹¹	1.0X10 ⁴	2.7X10 ⁻⁷
Ra-223 (b)	Radium (88)	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁵	2.7X10 ⁻⁶
Ra-224 (b)	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
Ra-225	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁵	2.7X10 ⁻⁶
Ra-226 (b)	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁴	2.7X10 ⁻⁷
Ra-228 (b)	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
Rb-81	Rubidium (37)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Rb-83	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Rb-84	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Rb-86	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁵	2.7X10 ⁻⁶
Rb-87	-	1.0X10 ⁴	2.7X10 ⁻⁷	1.0X10 ⁷	2.7X10 ⁻⁴
Rb (nat)	-	1.0X10 ⁴	2.7X10 ⁻⁷	1.0X10 ⁷	2.7X10 ⁻⁴
Re-184	Rhenium (75)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Re-184m	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Re-186	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁶	2.7X10 ⁻⁵
Re-187	-	1.0X10 ⁶	2.7X10 ⁻⁵	1.0X10 ⁹	2.7X10 ⁻²
Re-188	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁵	2.7X10 ⁻⁶
Re-189	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Re (nat)	-	1.0X10 ⁶	2.7X10 ⁻⁵	1.0X10 ⁹	2.7X10 ⁻²
Rh-99	Rhodium (45)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Rh-101	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁷	2.7X10 ⁻⁴
Rh-102	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Rh-102m	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Rh-103m	-	1.0X10 ⁴	2.7X10 ⁻⁷	1.0X10 ⁸	2.7X10 ⁻³
Rh-105	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁷	2.7X10 ⁻⁴
Rn-222 (b)	Radon (86)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁸	2.7X10 ⁻³
Ru-97	Ruthenium (44)	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁷	2.7X10 ⁻⁴
Ru-103	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Ru-105	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Ru-106 (b)	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁵	2.7X10 ⁻⁶
S-35	Sulphur (16)	1.0X10 ⁵	2.7X10 ⁻⁶	1.0X10 ⁸	2.7X10 ⁻³
Sb-122	Antimony (51)	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁴	2.7X10 ⁻⁷
Sb-124	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Sb-125	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Sb-126	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
Sc-44	Scandium (21)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
Sc-46	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Sc-47	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Sc-48	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
Se-75	Selenium (34)	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Se-79	-	1.0X10 ⁴	2.7X10 ⁻⁷	1.0X10 ⁷	2.7X10 ⁻⁴
Si-31	Silicon (14)	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁶	2.7X10 ⁻⁵
Si-32	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁶	2.7X10 ⁻⁵
Sm-145	Samarium (62)	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁷	2.7X10 ⁻⁴

Symbol of radionuclide	Element and atomic number	Activity concentration for exempt material (Bq/g)	Activity concentration for exempt material (Ci/g)	Activity limit for exempt consignment (Bq)	Activity limit for exempt consignment (Ci)
Sm-147	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁴	2.7X10 ⁻⁷
Sm-151	-	1.0X10 ⁴	2.7X10 ⁻⁷	1.0X10 ⁸	2.7X10 ⁻³
Sm-153	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Sn-113	Tin (50)	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁷	2.7X10 ⁻⁴
Sn-117m	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Sn-119m	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁷	2.7X10 ⁻⁴
Sn-121m	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁷	2.7X10 ⁻⁴
Sn-123	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁶	2.7X10 ⁻⁵
Sn-125	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁵	2.7X10 ⁻⁶
Sn-126	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
Sr-82	Strontium (38)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
Sr-85	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Sr-85m	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁷	2.7X10 ⁻⁴
Sr-87m	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Sr-89	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁶	2.7X10 ⁻⁵
Sr-90 (b)	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁴	2.7X10 ⁻⁷
Sr-91	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
Sr-92	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
T(H-3)	Tritium (1)	1.0X10 ⁶	2.7X10 ⁻⁵	1.0X10 ⁹	2.7X10 ⁻²
Ta-178 (long-lived)	Tantalum (73)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Ta-179	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁷	2.7X10 ⁻⁴
Ta-182	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁴	2.7X10 ⁻⁷
Tb-157	Terbium (65)	1.0X10 ⁴	2.7X10 ⁻⁷	1.0X10 ⁷	2.7X10 ⁻⁴
Tb-158	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Tb-160	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Tc-95m	Technetium (43)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Tc-96	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Tc-96m	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁷	2.7X10 ⁻⁴
Tc-97	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁸	2.7X10 ⁻³
Tc-97m	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁷	2.7X10 ⁻⁴
Tc-98	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Tc-99	-	1.0X10 ⁴	2.7X10 ⁻⁷	1.0X10 ⁷	2.7X10 ⁻⁴
Tc-99m	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁷	2.7X10 ⁻⁴
Te-121	Tellurium (52)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Te-121m	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁵	2.7X10 ⁻⁶
Te-123m	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁷	2.7X10 ⁻⁴
Te-125m	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁷	2.7X10 ⁻⁴
Te-127	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁶	2.7X10 ⁻⁵
Te-127m	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁷	2.7X10 ⁻⁴
Te-129	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Te-129m	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁶	2.7X10 ⁻⁵
Te-131m	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Te-132	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁷	2.7X10 ⁻⁴
Th-227	Thorium (90)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁴	2.7X10 ⁻⁷
Th-228 (b)	-	1.0	2.7X10 ⁻¹¹	1.0X10 ⁴	2.7X10 ⁻⁷
Th-229 (b)	-	1.0	2.7X10 ⁻¹¹	1.0X10 ³	2.7X10 ⁻⁸
Th-230	-	1.0	2.7X10 ⁻¹¹	1.0X10 ⁴	2.7X10 ⁻⁷
Th-231	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁷	2.7X10 ⁻⁴
Th-232	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁴	2.7X10 ⁻⁷
Th-234 (b)	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁵	2.7X10 ⁻⁶
Th (nat) (b)	-	1.0	2.7X10 ⁻¹¹	1.0X10 ³	2.7X10 ⁻⁸

Symbol of radionuclide	Element and atomic number	Activity concentration for exempt material (Bq/g)	Activity concentration for exempt material (Ci/g)	Activity limit for exempt consignment (Bq)	Activity limit for exempt consignment (Ci)
Ti-44	Titanium (22)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
Tl-200	Thallium (81)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Tl-201	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Tl-202	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Tl-204	-	1.0X10 ⁴	2.7X10 ⁻⁷	1.0X10 ⁴	2.7X10 ⁻⁷
Tm-167	Thulium (69)	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Tm-170	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁶	2.7X10 ⁻⁵
Tm-171	-	1.0X10 ⁴	2.7X10 ⁻⁷	1.0X10 ⁸	2.7X10 ⁻³
U-230 (fast lung absorption) (b), (d)	Uranium (92)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
U-230 (medium lung absorption) (e)	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁴	2.7X10 ⁻⁷
U-230 (slow lung absorption) (f)	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁴	2.7X10 ⁻⁷
U-232 (fast lung absorption) (b), (d)	-	1.0	2.7X10 ⁻¹¹	1.0X10 ³	2.7X10 ⁻⁸
U-232 (medium lung absorption) (e)	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁴	2.7X10 ⁻⁷
U-232 (slow lung absorption) (f)	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁴	2.7X10 ⁻⁷
U-233 (fast lung absorption) (d)	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁴	2.7X10 ⁻⁷
U-233 (medium lung absorption) (e)	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁵	2.7X10 ⁻⁶
U-233 (slow lung absorption) (f)	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
U-234 (fast lung absorption) (d)	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁴	2.7X10 ⁻⁷
U-234 (medium lung absorption) (e)	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁵	2.7X10 ⁻⁶
U-234 (slow lung absorption) (f)	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
U-235 (all lung absorption types) (b), (d), (e), (f)	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁴	2.7X10 ⁻⁷
U-236 (fast lung absorption) (d)	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁴	2.7X10 ⁻⁷
U-236 (medium lung absorption) (e)	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁵	2.7X10 ⁻⁶
U-236 (slow lung absorption) (f)	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁴	2.7X10 ⁻⁷
U-238 (all lung absorption types) (b), (d), (e), (f)	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁴	2.7X10 ⁻⁷
U (nat) (b)	-	1.0	2.7X10 ⁻¹¹	1.0X10 ³	2.7X10 ⁻⁸
U (enriched to 20% or less) (g)	-	1.0	2.7X10 ⁻¹¹	1.0X10 ³	2.7X10 ⁻⁸
U (dep)	-	1.0	2.7X10 ⁻¹¹	1.0X10 ³	2.7X10 ⁻⁸
V-48	Vanadium (23)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶
V-49	-	1.0X10 ⁴	2.7X10 ⁻⁷	1.0X10 ⁷	2.7X10 ⁻⁴
W-178	Tungsten (74)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
W-181	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁷	2.7X10 ⁻⁴
W-185	-	1.0X10 ⁴	2.7X10 ⁻⁷	1.0X10 ⁷	2.7X10 ⁻⁴
W-187	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
W-188	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁵	2.7X10 ⁻⁶
Xe-122	Xenon (54)	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁹	2.7X10 ⁻²
Xe-123	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁹	2.7X10 ⁻²
Xe-127	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁵	2.7X10 ⁻⁶
Xe-131m	-	1.0X10 ⁴	2.7X10 ⁻⁷	1.0X10 ⁴	2.7X10 ⁻⁷
Xe-133	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁴	2.7X10 ⁻⁷
Xe-135	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ¹⁰	2.7X10 ⁻¹

Symbol of radionuclide	Element and atomic number	Activity concentration for exempt material (Bq/g)	Activity concentration for exempt material (Ci/g)	Activity limit for exempt consignment (Bq)	Activity limit for exempt consignment (Ci)
Y-87	Yttrium (39)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Y-88	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Y-90	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁵	2.7X10 ⁻⁶
Y-91	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁶	2.7X10 ⁻⁵
Y-91m	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Y-92	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁵	2.7X10 ⁻⁶
Y-93	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁵	2.7X10 ⁻⁶
Yb-169	Ytterbium (70)	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁷	2.7X10 ⁻⁴
Yb-175	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁷	2.7X10 ⁻⁴
Zn-65	Zinc (30)	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Zn-69	-	1.0X10 ⁴	2.7X10 ⁻⁷	1.0X10 ⁶	2.7X10 ⁻⁵
Zn-69m	-	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Zr-88	Zirconium (40)	1.0X10 ²	2.7X10 ⁻⁹	1.0X10 ⁶	2.7X10 ⁻⁵
Zr-93 (b)	-	1.0X10 ³	2.7X10 ⁻⁸	1.0X10 ⁷	2.7X10 ⁻⁴
Zr-95	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁶	2.7X10 ⁻⁵
Zr-97 (b)	-	1.0X10 ¹	2.7X10 ⁻¹⁰	1.0X10 ⁵	2.7X10 ⁻⁶

^a (Reserved)^b Parent nuclides and their progeny included in secular equilibrium are listed in the following:

Sr-90

Y-90

Zr-93

Nb-93m

Zr-97

Nb-97

Ru-106

Rh-106

Cs-137

Ba-137m

Ce-134

La-134

Ce-144

Pr-144

Ba-140

La-140

Bi-212

Tl-208 (0.36), Po-212 (0.64)

Pb-210

Bi-210, Po-210

Pb-212

Bi-212, Tl-208 (0.36), Po-212 (0.64)

Rn-220

Po-216

Rn-222

Po-218, Pb-214, Bi-214, Po-214

Ra-223

Rn-219, Po-215, Pb-211, Bi-211, Tl-207

Ra-224

Rn-220, Po-216, Pb-212, Bi-212, Tl-208 (0.36), Po-212 (0.64)

Ra-226

Rn-222, Po-218, Pb-214, Bi-214, Po-214, Pb-210, Bi-210, Po-210

Ra-228

Ac-228

Th-226

Ra-222, Rn-218, Po-214

Th-228

Ra-224, Rn-220, Po-216, Pb-212, Bi-212, Tl-208 (0.36), Po-212 (0.64)

Th-229

Ra-225, Ac-225, Fr-221, At-217, Bi-213, Po-213, Pb-209

Th-nat

Ra-228, Ac-228, Th-228, Ra-224, Rn-220, Po-216, Pb-212, Bi-212, Tl-208 (0.36), Po-212 (0.64)

Th-234

Pa-234m

U-230

Th-226, Ra-222, Rn-218, Po-214

U-232

Th-228, Ra-224, Rn-220, Po-216, Pb-212, Bi-212, Tl-208 (0.36), Po-212 (0.64)

U-235

Th-231

U-238

Th-234, Pa-234m

U-nat

Th-234, Pa-234m, U-234, Th-230, Ra-226, Rn-222, Po-218, Pb-214, Bi-214, Po-214, Pb-210, Bi-210, Po-210

U-240

Np-240m

Np-237

Pa-233

Am-242m

Am-242

Am-243

Np-239^c (Reserved)^d These values apply only to compounds of uranium that take the chemical form of UF_6 , UO_2F_2 and $\text{UO}_2(\text{NO}_3)_2$ in both normal and accident conditions of transport.^e These values apply only to compounds of uranium that take the chemical form of UO_2 , UF_4 , UCl_4 and hexavalent compounds in both normal and accident conditions of transport.^f These values apply to all compounds of uranium other than those specified in notes (d) and (e) of this table.^g These values apply to unirradiated uranium only.

(Table A-3. Activity-mass Relationships for Uranium)

Specific Activity		
Uranium Enrichment 1 wt % U-235 present	TBq/g	Ci/g
0.45	1.8×10^{-8}	5.0×10^{-7}
0.72	2.6×10^{-8}	7.1×10^{-7}
1.0	2.8×10^{-8}	7.6×10^{-7}
1.5	3.7×10^{-8}	1.0×10^{-6}
5.0	1.0×10^{-7}	2.7×10^{-6}
10.0	1.8×10^{-7}	4.8×10^{-6}
20.0	3.7×10^{-7}	1.0×10^{-5}

Uranium Enrichment 1 wt % U-235 present	Specific Activity	
	TBq/g	Ci/g
35.0	7.4×10^{-7}	2.0×10^{-5}
50.0	9.3×10^{-7}	2.5×10^{-5}
90.0	2.2×10^{-6}	5.8×10^{-5}
93.0	2.6×10^{-6}	7.0×10^{-5}
95.0	3.4×10^{-6}	9.1×10^{-5}

⁺ The figures for uranium include representative values for the activity of the uranium-234 that is concentrated during the enrichment process.)

Table A-3. General Values for A1 and A2

Contents	Δ_1		Δ_2		Activity concentration for exempt material (Bq/g)	Activity concentration for exempt material (Ci/g)	Activity limits for exempt consignments (Bq)	Activity limits for exempt consignments (Ci)
	(TBq)	(Ci)	(TBq)	(Ci)				
Only beta or gamma emitting radionuclides are known to be present	1×10^{-1}	2.7×10^0	2×10^{-2}	5.4×10^{-1}	1×10^1	2.7×10^{-10}	1×10^4	2.7×10^{-7}
Only alpha emitting radionuclides are known to be present	2×10^{-1}	5.4×10^0	9×10^{-5}	2.4×10^{-3}	1×10^1	2.7×10^{-12}	1×10^3	2.7×10^{-8}
No relevant data are available	1×10^{-3}	2.7×10^{-2}	9×10^{-5}	2.4×10^{-3}	1×10^1	2.7×10^{-12}	1×10^3	2.7×10^{-8}

Table A-4.
Activity-Mass Relationships for Uranium

Uranium Enrichment wt % U-235 present	Specific Activity	
	TBq/g	Ci/g
0.45	1.8×10^{-8}	5.0×10^{-7}
0.72	2.6×10^{-8}	7.1×10^{-7}
1	2.8×10^{-8}	7.6×10^{-7}
1.5	3.7×10^{-8}	1.0×10^{-6}
5	1.0×10^{-7}	2.7×10^{-6}
10	1.8×10^{-7}	4.8×10^{-6}
20	3.7×10^{-7}	1.0×10^{-5}
35	7.4×10^{-7}	2.0×10^{-5}
50	9.3×10^{-7}	2.5×10^{-5}
90	2.2×10^{-6}	5.8×10^{-5}
93	2.6×10^{-6}	7.0×10^{-5}
95	3.4×10^{-6}	9.1×10^{-5}

¹ The figures for uranium include representative values for the activity of the uranium-234 that is concentrated during the enrichment process.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 246-231-070

Previously approved package.

WSR 08-03-077 WITHDRAWAL OF PROPOSED RULES FOREST PRACTICES BOARD

(By the Code Reviser's Office)

[Filed January 15, 2008, 8:17 a.m.]

WAC 222-12-090, proposed by the forest practices board in WSR 07-14-039 appearing in issue 07-14 of the State Register, which was distributed on July 18, 2007, is withdrawn by the code reviser's office under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor
Washington State Register

WSR 08-03-087**PROPOSED RULES****SUPERINTENDENT OF
PUBLIC INSTRUCTION**

[Filed January 16, 2008, 11:54 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 08-01-138.

Title of Rule and Other Identifying Information: Chapter 392-165 WAC, Special service programs—Title VI—Innovative Education Program Strategies of the Education Consolidation and Improving America's Schools Act of 1994, financial assistance to local school districts.

Hearing Location(s): Office of Superintendent of Public Instruction, Wanamaker Conference Room, on March 11, 2008, at 9:00 a.m.

Date of Intended Adoption: March 12, 2008.

Submit Written Comments to: Gayle Pauley, Director, 600 Washington Street S.E., Olympia, WA 98504-7200, e-mail gayle.pauley@K12.wa.us, fax (360) 586-3305.

Assistance for Persons with Disabilities: Contact Jami Peterson, Administrative Assistant, by March 10, 2008, TTY (360) 664-3631 or (360) 725-6096.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: No Child Left Behind Title V Promoting Informed Parental Choice and Innovative Programs; Section 501 Innovative programs and Parental Choice provisions; Sections 5101 through 5146.

Reasons Supporting Proposal: See Purpose above.

Statutory Authority for Adoption: RCW 28A.300.070.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: [Superintendent of public instruction], governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Gayle Pauley, Office of Superintendent of Public Instruction, (360) 725-6100.

No small business economic impact statement has been prepared under chapter 19.85 RCW.

A cost-benefit analysis is not required under RCW 34.05.328.

January 16, 2008
Terry Bergeson
Superintendent

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 392-165-100 Authority.

WAC 392-165-105 Purpose.

WAC 392-165-110 Accountability.

WAC 392-165-115 Definition—Title VI.

WAC 392-165-120 Definition—Accounting manual.

WAC 392-165-125

Definition—Object of expenditure.

WAC 392-165-130

Definition—Activity.

WAC 392-165-135

Definition—Program.

WAC 392-165-140

Definition—Direct expenditure.

WAC 392-165-142

Definition—Indirect expenditure.

WAC 392-165-145

Definition—Revenue account.

WAC 392-165-170

Definition—Project.

WAC 392-165-180

Definition—Students.

WAC 392-165-210

Definition—Instructional staff.

WAC 392-165-245

Definition—Supplement.

WAC 392-165-260

Definition—Consultation with parents and educators and others.

WAC 392-165-265

Definition—Private schools.

WAC 392-165-302

Private school participation in Title VI—Program requirement.

WAC 392-165-304

Private school Title VI equipment—Program requirement.

WAC 392-165-310

Parent, educator, and community involvement in program planning—Program requirement.

WAC 392-165-315

School district application required.

WAC 392-165-320

Substance of school district application.

WAC 392-165-322

One year assurances.

WAC 392-165-325

Planned expenditures by program object and activity.

WAC 392-165-330

Board approval.

WAC 392-165-340

Approved budget variance allowed.

WAC 392-165-345

Budget revisions—Updating planned expenditures.

WAC 392-165-347

Title VI carryover provisions.

WAC 392-165-350

Budget revision—Approval.

WAC 392-165-360

Supervisory expenditures.

WAC 392-165-362

Reallocation of Title VI funds.

WAC 392-165-365	End-of-year report—Annual requirement.
WAC 392-165-415	Budget revision requirements—Two revisions limitation.
WAC 392-165-420	Budget revision requirements—Final approval date.
WAC 392-165-425	Construction.
WAC 392-165-430	Acquisition, control and disposition of equipment.
WAC 392-165-440	Title VI audit.
WAC 392-165-445	Sanctions.
WAC 392-165-450	Compliance agreement.
WAC 392-165-455	Withholding of Title VI payments.
WAC 392-165-460	Approval of Title VI program application by the office of the superintendent of public instruction.
WAC 392-165-490	Allocation to school districts.
WAC 392-165-500	Allocation formula for distribution of eighty-five percent Title VI moneys to local school districts.
WAC 392-165-510	Program compliance review.

WSR 08-03-103
PROPOSED RULES
DEPARTMENT OF LICENSING

[Filed January 22, 2008, 8:38 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 04-12-010.

Title of Rule and Other Identifying Information: WAC 308-61-135 Miscellaneous provisions.

Hearing Location(s): Department of Licensing, Conference Room 108, 1125 Washington Street S.E., Olympia, WA 98507, on February 26, 2008, at 10:00 a.m.

Date of Intended Adoption: March 25, 2008.

Submit Written Comments to: Dale R. Brown, P.O. Box 2957, Mailstop 48205, 1125 Washington Street S.E., Olympia, WA 98507-2957, e-mail dbrown@dol.wa.gov, fax (360) 902-7821 or 902-7822, by February 25, 2008.

Assistance for Persons with Disabilities: Contact Dale R. Brown by February 25, 2008, TTY (360) 664-8885.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Rule making is required to clarify reporting requirements through the abandoned vehicle online system. The department was mandated to create a system enabling the tow truck industry to file the abandoned vehicle affidavit of sale documents electronically.

The department enhanced that reporting system with inquiry capabilities. Many tow truck companies who have requested access to utilize this online function are only using it to complete the inquiry portion but not to submit the affidavit of sale. This rule seeks to clarify that tow truck companies who have requested access to the online system must also file the affidavit of sale reports through the online system.

Statutory Authority for Adoption: RCW 46.55.190.

Rule is not necessitated by federal law, federal or state court decision.

Name of Agency Personnel Responsible for Drafting: Dale R. Brown, 1125 Washington Street S.E., Olympia, WA, (360) 902-4020; Implementation and Enforcement: Karla Laughlin, 1125 Washington Street S.E., Olympia, WA, (360) 902-3673.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement is not required pursuant to RCW 19.85.030 (1)(a). The proposed rule making does not impose more than a minor cost on businesses in the industry.

A cost-benefit analysis is not required under RCW 34.05.328. The contents of the proposed rules are explicitly and specifically dictated by statute.

January 22, 2008

Glenn Ball

for Julie Knittle

Assistant Director

Vehicle Services

AMENDATORY SECTION (Amending WSR 07-03-117, filed 1/22/07, effective 2/22/07)

WAC 308-61-135 Miscellaneous provisions. (1) The properly executed written authority to tow or other evidence of lawful possession ((shall suffice in lieu)) will take the place of current license plates or trip permits for unauthorized or abandoned vehicles.

(2) Billing invoices must indicate the time of day when an unauthorized or abandoned vehicle arrived at the secure storage area.

(3) A seller's report of sale properly filed with the department on a form prescribed by the department shall relieve a registered owner from liability for costs incurred in the removal and storage of an unauthorized/abandoned vehicle, in addition to relieving that person from other liability ((pursuant to)) under RCW 46.12.101, unless the transferee on the seller's report had no knowledge of the filing.

(4) The junk vehicle affidavit of sale as described in RCW 46.55.230 may be used to sell a vehicle to a licensed hulk hauler, scrap processor, vehicle wrecking yard or it may be used as a supporting document for issuance of a title.

(5) A stored vehicle may be redeemed any time before the start of auctioning of that particular vehicle.

(6) The notification of impound is to be sent by first-class mail within twenty-four hours after the impound ((must be sent)) to any lessor or lessee, as well as to the last known registered and legal owner (lien holder) of the vehicle. If the department returns information indicating a change in vehicle possession, (example: Report of sale, wrecker, or insurance

destroyed report) notification will also be sent to the name and address provided by the department.

(7)(a) The written notice of the right of redemption and opportunity for a hearing to contest the validity of an impoundment((5)) is to be sent to the registered and legal owners as described in subsection (6) of this section with the twenty-four hour impoundment notice on an unauthorized vehicle ((impoundment)).

(b) The same notice, of the right of redemption and opportunity for a hearing to contest the validity of an impound, must also be ((separate and in addition to the notice of opportunity for a hearing)) given to ((those)) anyone qualified under RCW 46.55.120 who attempts to redeem a vehicle((s)).

(8) As the record required in RCW 46.05.150(2) the registered tow truck operator must keep a copy of its twenty-four-hour impound notice to law enforcement.

(9) Information contained in the master log must include:

- (a) The dates of impound and release of vehicles;
- (b) Storage lot used if multiple lots;
- (c) If impound was from public or from private property and the location where the vehicle was impounded;
- (d) Identity of vehicle by year, make, model, license number, and vehicle identification number;
- (e) Dates of all required notices to law enforcement and to vehicle owners;
- (f) Date of auction advertisement and of auction;
- (g) Amount of towing and storage lien;
- (h) Amount of auction proceeds;
- (i) Amount of surplus funds.

Entries on the master log must be made within seventy-two hours following the activity being logged.

(10) In compliance with the requirements of RCW 46.55.100, as it relates to the reporting of abandoned vehicles after being auctioned by a registered tow truck operator, any tow truck company who has established an account with the department to use the abandoned vehicle report-affidavit of sale through the online system must use that system. Any report sent to the department by fax or mail will be returned to the appropriate tow truck company to be filed online.

Tow truck companies that have not established an account with the department to use the abandoned vehicle online system are encouraged to do so; however, they may continue to file the abandoned vehicle report of sale reports via fax or through the mail.

**WSR 08-03-105
PROPOSED RULES
DEPARTMENT OF AGRICULTURE**

[Filed January 22, 2008, 11:11 a.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule and Other Identifying Information: Hops, chapter 16-532 WAC.

Hearing Location(s): Washington Hop Commission Office, 301 West Prospect Place, Moxee, WA 98936, on Monday, March 3, 2008, at 1:00 p.m.

Date of Intended Adoption: June 25, 2008.

Submit Written Comments to: Ann E. George, P.O. Box 1207, Moxee, WA 98936, e-mail ageorge@wahops.org, fax (509) 457-8561, by 5:00 p.m., March 5, 2008.

Assistance for Persons with Disabilities: Contact Ann George by February 15, 2008, (509) 453-4749.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: WAC 16-532-120 Labeling, remove the letter "G" from lettering/numbering sequence when labeling hop bales. It serves no purpose and represents an unnecessary printing cost for growers.

Reasons Supporting Proposal: The labeling change is housekeeping in nature, removing unnecessary components from the labeling requirement.

Statutory Authority for Adoption: RCW 15.65.047 and chapter 34.05 RCW.

Statute Being Implemented: Chapter 15.65 RCW.

Rule is not necessitated by federal law, federal or state court decision.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: WAC 16-532-120 is a rule of the hop commission board, involves only a labeling (name) change and is not subject to the referendum process.

Name of Proponent: Washington state hop commission, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Ann George, P.O. Box 1207, Moxee, WA 98936, (509) 453-4749.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rule does not impose any new costs on business and, in fact, could result in a cost savings.

A cost-benefit analysis is not required under RCW 34.05.328. The department of agriculture and the Washington hop commission are not named agencies in RCW 34.05-328 (5)(a)(i).

January 14, 2008

Ann E. George
Administrator

AMENDATORY SECTION (Amending WSR 06-15-135, filed 7/19/06, effective 8/19/06)

WAC 16-532-120 Labeling. Each lot of hops must be identified by the crop year produced, grower number and lot designation, and variety stenciled on each bale.

(1) A three-digit grower number will be assigned by the Washington hop commodity board (commission) prior to the annual harvest.

(2) The first marking will consist of the last digit of the crop year((, the letter "G")) and a hyphen, followed by the three-digit grower number and lot designation (example: ((8G 000-04)) 8-000-001).

(3) The first marking shall be affixed on the head or top of the bale and shall be in characters approximately two inches high.

(4) The second marking will consist of the hop variety, utilizing a two-letter abbreviation. A list of approved two-let-

ter abbreviations will be approved annually by the Washington state hop commodity board.

(5) The second marking shall be affixed immediately below the first marking on the head or top of the bale, and shall be in characters approximately two inches high.

WSR 08-03-106
PROPOSED RULES
DEPARTMENT OF AGRICULTURE

[Filed January 22, 2008, 11:13 a.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule and Other Identifying Information: Hops, chapter 16-532 WAC.

Hearing Location(s): Washington Hop Commission Office, 301 West Prospect Place, Moxee, WA 98936, on Monday, March 3, 2008, at 1:00 p.m.

Date of Intended Adoption: June 25, 2008.

Submit Written Comments to: Kelly Frost, P.O. Box 42560, Olympia, WA 98504-2560, e-mail kfrost@agr.wa.gov, fax (360) 902-2092, by 5:00 p.m., March 5, 2008.

Assistance for Persons with Disabilities: Contact WSDA receptionist by February 15, 2008, TTY 1-800-833-6388 or (360) 902-1976.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: WAC 16-532-035 Inspection required, require that growers provide a bale count when hops are submitted for inspection. A formula is provided for growers to use in estimating the number of bales for nonbaled hops. Growers are assessed based upon the number of pounds of hops produced (200 pounds = one bale). An accurate accounting is important for commission budgeting and planning activities.

WAC 16-532-040 Assessment and collections, increase the assessment rate per "affected unit" from \$1.80 to \$2.50. The increase is necessary to support specific programs that benefit the hop industry, including \$0.20 per bale for pesticide registration and international harmonization of pesticide regulatory standards; \$0.15 per bale for trade education programs; and \$0.35 per bale to provide additional funding for research and administrative functions. The increases are in response to inflationary factors and the loss of certain grant funds that have been used in the past to support these activities.

Reasons Supporting Proposal: Growers are assessed per "affected unit" (200 pounds, which is equivalent to a bale). An accurate count supports sound programming decisions and budgeting activities. The information is currently requested by the WSDA hop inspection laboratory for hops that utilized the submitted sample inspection option. However, the information is not always provided. The assessment increase is necessary to continue funding the programs and services listed above. These changes will implement the petition received from the hop commission in accordance with RCW 15.65.050.

Statutory Authority for Adoption: RCW 15.65.047 and chapter 34.05 RCW.

Statute Being Implemented: Chapter 15.65 RCW.

Rule is not necessitated by federal law, federal or state court decision.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Any rule proposal that results from this rule-making process will not be adopted unless the proposed rules are also approved in a referendum of affected hop producers pursuant to chapter 15.65 RCW.

Name of Proponent: Washington state hop commission, governmental.

Name of Agency Personnel Responsible for Drafting: Kelly Frost, P.O. Box 42560, Olympia, WA 98504, (360) 902-1802; Implementation and Enforcement: Ann George, P.O. Box 1207, Moxee, WA 98936, (509) 453-4749.

No small business economic impact statement has been prepared under chapter 19.85 RCW. In accordance with RCW 15.65.570, the adoption of the final amendments to chapter 16-532 WAC will be determined by a referendum vote of affected parties.

A cost-benefit analysis is not required under RCW 34.05.328. The department of agriculture and the Washington hop commission are not named agencies in RCW 34.05.-328 (5)(a)(i).

January 14, 2008
 Valoria H. Loveland
 Director

AMENDATORY SECTION (Amending WSR 06-15-105, filed 7/17/06, effective 8/17/06)

WAC 16-532-035 Inspection required. (1) Before marketing or processing, all varieties of hops produced in the state of Washington must be inspected and certified by the Federal/State Hop Inspection Service for quality and condition of seed, leaf and stem according to the standards established by the Federal Grain Inspection Service of the United States Department of Agriculture. All lots of hops submitted for inspection shall include a bale count or, in the case of non-baled hops, an estimated bale count based on total weight divided by two hundred pounds.

(2) Any hops that are baled on a producer's farm must be officially sampled by a Washington state department of agriculture inspector.

AMENDATORY SECTION (Amending WSR 05-15-098, filed 7/15/05, effective 8/15/05)

WAC 16-532-040 Assessments and collections. (1) **Assessments.**

(a) The annual assessment on all varieties of hops shall be ((one)) two dollars and ((eighty)) fifty cents per affected unit.

(b) For the purpose of collecting assessments the board may:

(i) Require handlers to collect producer assessments from producers whose production they handle, and remit the same to the board; or

(ii) Require the person subject to the assessment to give adequate assurance or security for its payment; or

(iii) Require the person subject to the assessment to remit assessments for any hops which are processed prior to the first sale; or

(iv) Require the person subject to the assessment to remit an inventory report for any hops which are not processed or sold prior to December 31 of the year in which they are produced.

(c) Subsequent to the first sale or processing, no affected units shall be transported, carried, shipped, sold, marketed, or otherwise handled or disposed of until every due and payable assessment herein provided for has been paid and the receipt issued. The foregoing shall include all affected units shipped or sold, both inside and outside the state.

(2) **Collections.** Any moneys collected or received by the board pursuant to the provisions of the order during or with respect to any season or year may be refunded on a pro rata basis at the close of such season or year or at the close of such longer period as the board determines to be reasonably adapted to effectuate the declared policies of this act and the purposes of such marketing agreement or order, to all persons from whom such moneys were collected or received or may be carried over into and used with respect to the next succeeding season, year or period whenever the board finds that the same will tend to effectuate such policies and purposes.

(3) **Penalties.** Any due and payable assessment herein levied in such specified amount as may be determined by the board pursuant to the provisions of the act and the order, shall constitute a personal debt of every person so assessed or who otherwise owes the same, and the same shall be due and payable to the board when payment is called for by it. In the event any person fails to pay the board the full amount of such assessment or such other sum on or before the date due, the board may, and is hereby authorized to add to such unpaid assessment or sum an amount not exceeding ten percent of the same to defray the cost of enforcing the collecting of the same. In the event of failure of such person or persons to pay any such due and payable assessment or other such sum, the board may bring a civil action against such person or persons in a state court of competent jurisdiction for the collection thereof, together with the above specified ten percent thereon, and such action shall be tried and judgment rendered as in any other cause of action for debt due and payable.

Date of Intended Adoption: February 28, 2008.

Submit Written Comments to: Lynn Sykes, Puget Sound Clean Air Agency, 1904 3rd Avenue, #105, Seattle, WA 98101, e-mail outdoorburningcomments@pscleanair.org, fax (206) 343-7522, by February 27, 2008.

Assistance for Persons with Disabilities: Contact agency receptionist, (206) 689-4010, by February 21, 2008, TTY (800) 833-6388 or (800) 833-6385 (Braille).

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: To prohibit burning of land-clearing debris in King, Pierce, and Snohomish counties as of June 30, 2008.

To prohibit residential burning in King, Pierce, and Snohomish counties as of June 30, 2010.

Reasons Supporting Proposal: RCW 70.94.745(6) requires the agency to prohibit land-clearing and residential burning in areas outside the UGAs and nonattainment areas when the agency has determined that an alternate technology or method of disposing of the organic refuse is available, reasonably economical, and less harmful to the environment than burning. Based on evaluation, agency staff believes that under WAC 173-425-040(5), reasonable, economical, and less harmful alternatives to land-clearing and residential burning exist in King, Pierce, and Snohomish counties.

Statutory Authority for Adoption: Chapter 70.94 RCW.

Statute Being Implemented: RCW 70.94.141.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Puget Sound Clean Air Agency, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jim Nolan, 1904 3rd Avenue, Suite 105, Seattle, WA 98101, (206) 689-4053.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This agency is not subject to the small business economic impact provision of the Administrative Procedure Act.

A cost-benefit analysis is not required under RCW 34.05.328. RCW 34.05.328 does not apply to local air agencies, per RCW 70.94.141.

January 22, 2008

Dennis J. McLellan
Executive Director

AMENDATORY SECTION

REGULATION I SECTION 8.09 DESCRIPTION OF THE KING COUNTY NO-BURN AREA

As ((provided)) authorized by WAC 173-425-040(5), residential burning and land-clearing burning are prohibited in the following areas of King County until the dates in Section 8.13 of this regulation:

- (a) The King County Urban Growth Area; and
- (b) The former carbon monoxide (CO) non-attainment area (Seattle/Tacoma/Everett urban area as defined by the Washington State Department of Transportation, 1983 version, urban area maps).

WSR 08-03-108
PROPOSED RULES
PUGET SOUND
CLEAN AIR AGENCY

[Filed January 22, 2008, 12:19 p.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 70.94.141(1).

Title of Rule and Other Identifying Information: Amend Regulation I, Sections 8.09, 8.10, and 8.11; and adopt Regulation I, Section 8.13.

Hearing Location(s): The Seattle Public Library, Microsoft Auditorium, 1000 4th Avenue, Seattle, WA 98104, on February 28, 2008, at 9:15 a.m.

AMENDATORY SECTION**REGULATION I SECTION 8.10 DESCRIPTION OF THE PIERCE COUNTY NO-BURN AREA**

As ((provided)) authorized by WAC 173-425-040(5), residential burning and land-clearing burning are prohibited in the following areas of Pierce County until the dates in Section 8.13 of this regulation:

- (a) The Pierce County Urban Growth Area; and
- (b) The former carbon monoxide (CO) non-attainment area (Seattle/Tacoma/Everett urban area as defined by the Washington State Department of Transportation, 1983 version, urban area maps).

AMENDATORY SECTION**REGULATION I SECTION 8.11 DESCRIPTION OF THE SNOHOMISH COUNTY NO-BURN AREA**

As ((provided)) authorized by WAC 173-425-040(5), residential burning and land-clearing burning are prohibited in the following areas of Snohomish County until the dates in Section 8.13 of this regulation:

- (a) The Snohomish County Urban Growth Area; and
- (b) The former carbon monoxide (CO) non-attainment area (Seattle/Tacoma/Everett urban area as defined by the Washington State Department of Transportation, 1983 version, urban area maps).

NEW SECTION**REGULATION I SECTION 8.13 LAND-CLEARING AND RESIDENTIAL BURNING PROHIBITED**

(a) As authorized by WAC 173-425-040(5), land-clearing burning is prohibited in King, Pierce, and Snohomish Counties after June 30, 2008.

(b) As authorized by WAC 173-425-040(5), residential burning is prohibited in King, Pierce, and Snohomish Counties after June 30, 2010.

WSR 08-03-110**PROPOSED RULES****DEPARTMENT OF****SOCIAL AND HEALTH SERVICES**

(Health and Recovery Services Administration)

[Filed January 22, 2008, 12:31 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 07-22-083.

Title of Rule and Other Identifying Information: The department is creating WAC 388-530-1075 Requirements—Use of tamper resistant prescription pads. The department is adding this rule to comply with federal law that mandates the use of tamper-resistant prescriptions for all medicaid, non-electronic prescriptions.

Hearing Location(s): Blake Office Park East, Rose Room, 4500 10th Avenue S.E., Lacey, WA 98503 (one block north of the intersection of Pacific Avenue S.E. and Alhadoff Lane. A map or directions are available at <http://www1.dshs.wa.gov/msa/rpau/docket.html> or by calling (360) 664-6094), on February 26, 2008, at 10:00 a.m.

Date of Intended Adoption: Not sooner than February 27, 2008.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504-5850, delivery 4500 10th Avenue S.E., Lacey, WA 98503, e-mail DSHS.RPAPRulesCoordinator@dshs.wa.gov, fax (360) 664-6185, by 5 p.m. on February 26, 2008.

Assistance for Persons with Disabilities: Contact Jennisha Johnson, DSHS Rules Consultant, by February 19, 2008, TTY (360) 664-6178 or (360) 664-6094 or by e-mail at johnsj14@dshs.wa.gov.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This rule adopts without material change federal regulations mandated by the adoption of Section 7002(b) of the federal U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Pub.L.110-28), which amends section 1903(i) of the Social Security Act (42 U.S.C. section 1936b (i)(23)).

Reasons Supporting Proposal: Mandated by federal regulation as outlined above.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.057, 74.08.090, and 74.09.500.

Statute Being Implemented: Section 7002(b), U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Pub.L.110-28).

Rule is necessary because of federal law, Section 7002(b), U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Pub.L.110-28).

Name of Proponent: Department of social and health services, governmental.

Name of Agency Personnel Responsible for Drafting: Jonell O. Blatt, 626 8th Avenue, Olympia, WA, (360) 725-1571; Implementation and Enforcement: Phyllis Coolen, 626 8th Avenue, Olympia, WA, (360) 725-1395.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement (SBEIS) is not required when adopting rules that simply conform to and/or comply with a federal statute or regulation. Instead, under RCW 19.85.061, a statement is prepared that:

- Cites the specific federal statute or regulation under which the rule is conforming; and
- Describes the consequences to our state if the rule is not adopted.

RCW 19.85.061 - Prepared statement to explain why no SBEIS is required: The department is merely adopting a federal statute without changing content or incorporating additional state requirements concerning the use of federally implemented tamper-resistant prescriptions. The specific federal statute, which amends section 1903(i) of the Social Security Act (42 U.S.C. section 1936b (i)(23)), states that payment shall not be made for "...amounts expended for medical assistance for covered outpatient drugs (as defined in section 1927 (k)(2)) for which the prescription was executed in written (and nonelectronic) form unless the prescription was executed on a tamper-resistant pad."

A cost-benefit analysis is not required under RCW 34.05.328. This rule is exempt per RCW 34.05.328 (5)(b) (iii). This rule adopts and incorporates, by reference without material change, the adoption of Section 7002(b) of the federal U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007, which amends section 1903(i) of the Social Security Act (42 U.S.C. section 1936b (i)(23)).

January 16, 2008
Stephanie E. Schiller
Rules Coordinator

NEW SECTION

WAC 388-530-1075 Requirements-Use of tamper-resistant prescription pads. (1) The department requires providers to use tamper-resistant prescription pads or paper for written outpatient prescriptions, including over-the-counter drugs, for medical assistance clients.

(2) This requirement applies to all outpatient prescription drugs including:

(a) Prescriptions when Medicaid is primary or secondary payer (including Medicare Part D prescriptions).

(b) Signed hardcopy prescriptions given to a client, whether handwritten or computer-generated.

(3) This requirement does not apply to:

(a) Prescriptions paid for by Washington's healthy options (HO) program or other department contracted managed care organizations.

(b) Prescription drugs that are part of the per diem or bundled rate and not reimbursed separately in designated institutional or clinical settings, such as a nursing facility, ICF/MR, dental office, hospice, or radiology. For example, a morphine prescription used to control a hospice client's cancer pain is covered under the hospice per diem rate and therefore the tamper-resistant prescription requirement is not required.

(c) Telephone, fax or electronic prescriptions.

(d) Refill prescriptions, if the original written prescriptions were presented at a pharmacy before April 1, 2008.

(e) Prescriber or clinic drug samples given directly to the client.

(f) An institutional setting, as defined in WAC 388-500-0005, where the prescriber writes the order into the medical records and the orders go directly to the pharmacy.

(4) Effective April 1, 2008, the tamper-resistant prescription pads and paper must meet at least one of the following industry recognized characteristics:

(a) One or more features designed to prevent unauthorized copying of a completed or blank prescription form;

(b) One or more features designed to prevent the erasure or modification of information written on the prescription by the prescriber; or

(c) One or more features designed to prevent the use of counterfeit prescription forms.

(5) Effective October 1, 2008, the tamper-resistant prescription pads and paper must contain all of the three characteristics in subsection (4) of this section.

(6) If the written prescription is not on tamper-resistant paper, the pharmacy may provide the prescription on an

emergency basis. The pharmacy must verify the prescription with the prescriber by telephone, fax, or electronic communication, or by physical receipt of a tamper-resistant written prescription within seventy-two hours of filling the prescription.

(7) Federal controlled substance laws on controlled substances apply when prescribing or dispensing schedule II drugs.

(8) Record retention requirements (WAC 388-502-0020) remain in effect. Additional documentation is required as follows:

(a) Documentation by the pharmacy of verbal confirmation of a noncompliant written prescription.

(b) Documentation by the pharmacy of verbal confirmation about the authenticity of the tamper-resistant prescription.

(9) To submit a claim for a Medicaid client retroactively certified for Medicaid, the following applies:

(a) The prescription must meet the tamper-resistant compliance requirement.

(b) Refills that occur after the date on which the client is determined to be eligible require a new, tamper-resistant prescription in compliance with this WAC.

(c) If the original order is not compliant with subsection (4) of this section, the pharmacy must obtain a verbal, faxed, or email confirmation of the prescription from the prescriber.

(d) The pharmacy must reimburse the client in accordance with WAC 388-502-0160.

(10) The pharmacy accepting a prescription transfer from another pharmacy must confirm the authenticity of the prescription by telephone or facsimile from the transferring pharmacy.

WSR 08-03-112
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Health and Recovery Services Administration)

[Filed January 22, 2008, 12:36 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 06-24-113.

Title of Rule and Other Identifying Information: WAC 388-501-0180 Healthcare provided outside the state of Washington, 388-501-0182 Healthcare provided in another state or U.S. territory-nonemergency, 388-501-0184 Healthcare provided outside of the United States and U.S. territories or in a foreign country, 388-502-0120 Payment for healthcare provided outside the state of Washington, 388-535-1550 Payment for dental care provided out-of-state, 388-546-0800 Payment for ambulance services provided in another state or U.S. territory, 388-546-0900 Ambulance coverage in Canada, Mexico, and other countries, and 388-546-5100 Non-emergency transportation program scope of coverage.

Hearing Location(s): Blake Office Park East, Rose Room, 4500 10th Avenue S.E., Lacey, WA 98503 (one block north of the intersection of Pacific Avenue S.E. and Alhadeff

Lane. A map or directions are available at <http://www1.dshs.wa.gov/msa/rpau/docket.html> or by calling (360) 664-6094, on February 26, 2008, at 10:00 a.m.

Date of Intended Adoption: Not sooner than February 27, 2008.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504-5850, delivery 4500 10th Avenue S.E., Lacey, WA 98503, e-mail DSHS RPAURulesCoordinator@dshs.wa.gov, fax (360) 664-6185, by 5 p.m. on February 26, 2008.

Assistance for Persons with Disabilities: Contact Jenisha Johnson, DSHS Rules Consultant, by February 19, 2008, TTY (360) 664-6178 or (360) 664-6094 or by e-mail at johnsjl4@dshs.wa.gov.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: To update and clarify current agency policy regarding out-of-state medical care, requirements for out-of-state providers and out-of-country medical care.

Reasons Supporting Proposal: Clarifying these and related issues will improve client and provider understanding of the agency's policies and practices.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.057, 74.08.090, and 74.09.500.

Statute Being Implemented: RCW 74.04.050, 74.04.-057, 74.08.090, 74.09.500, and 74.09.035.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Department of social and health services, governmental.

Name of Agency Personnel Responsible for Drafting: Jonell Blatt, 626 8th Avenue, Olympia, WA, (360) 725-1571; Implementation and Enforcement: Ayuni Wimpee, 626 8th Avenue, Olympia, WA, (360) 725-1835.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The rule applies to out-of-state providers and does not affect state of Washington healthcare service providers.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Jonell O. Blatt, 626 8th Avenue, Olympia, WA 98504-5850, phone (360) 725-1571, fax (360) 586-9727, e-mail blattj@dshs.wa.gov.

January 17, 2008
Stephanie E. Schiller
Rules Coordinator

AMENDATORY SECTION (Amending WSR 06-24-036, filed 11/30/06, effective 1/1/07)

WAC 388-501-0180 ((Out-of-state medical care)) Healthcare services provided outside the state of Washington-General provisions. WAC 388-501-0180 through 388-501-0184 apply only to services payable on a fee-for-service basis for Washington state medical assistance clients.

(1) ((The department considers cities bordering Washington state and listed in WAC 388-501-0175 the same as in-state cities for:

((a) Medical care coverage under all medical programs administered by the department; and

((b) Reimbursement purposes.

(2) The department does not cover out of state medical care for clients under the following state administered (Washington state medical care only) medical programs:

((a) General assistance unemployable (GA-U); or

((b) Alcohol and Drug Addiction Treatment and Support Act (ADATSA).

(3) Subject to the exceptions and limitations in this section, the department covers out of state medical care provided to eligible clients when the services are:

((a) Within the scope of the client's medical care program as specified in WAC 388-501-0060; and

((b) Medically necessary as defined in WAC 388-500-0005.

(4) If the client travels out of state expressly to obtain medical care, the medical services must have prior authorization through the department's determination process described in WAC 388-501-0165.

(5) See WAC 388-501-0165 for the department's determination process for requests for:

((a) A service that is in a covered category, but has been determined to be experimental or investigational under WAC 388-531-0550, or

((b) A covered service that is subject to the department's limitations or other restrictions and the request for the service exceeds those limitations or restrictions (see also WAC 388-501-0169).

(6) The department evaluates a request for a noncovered service if an exception to rule is requested according to the provisions in WAC 388-501-0160.

(7) The department determines out of state coverage for transportation services, including ambulance services, according to chapter 388-546 WAC.

(8) The department reimburses an out of state provider for medical care provided to an eligible client if the provider:

((a) Meets the licensing requirements of the state in which care is provided;

((b) Contracts with the department to be an enrolled provider; and

((c) Meets the same criteria for payment as in-state providers)) Subject to the exceptions and limitations in this section, WAC 388-501-0182 and 388-501-0184, the department covers emergency and nonemergency out-of-state healthcare services provided to eligible Washington state medical assistance clients when the services are:

((a) Within the scope of the client's healthcare program as specified under chapter 388-501 WAC;

((b) Allowed to be provided outside the state of Washington by specific program WAC; and

((c) Medically necessary as defined in WAC 388-500-0005.

(2) The department does not cover services provided outside the state of Washington under the involuntary treatment act (chapter 71.05 RCW and chapter 388-865 WAC), including designated bordering cities.

(3) When the department pays for covered healthcare services furnished to an eligible Washington state medical assistance client outside the state of Washington, its payment is payment in full according to 42 CFR 447.15. The depart-

ment does not pay when the provider refuses to accept the department's payment as payment in full.

(4) The department determines coverage for transportation services provided out of state, including ambulance services, according to chapter 388-546 WAC.

(5) With the exception of designated bordering cities (see WAC 388-501-0175), if the client travels out of state expressly to obtain healthcare, the service(s) must be prior authorized by the department. See WAC 388-501-0182 for requirements related to out-of-state nonemergency treatment and WAC 388-501-0165 for the department's medical necessity determination process.

(6) The department does not cover healthcare services provided outside the United States and U.S. territories, with the exception of British Columbia, Canada. See WAC 388-501-0184 for limitations on coverage of healthcare provided to medical assistance clients in British Columbia, Canada.

(7) See WAC 388-502-0120 for provider requirements for payment of healthcare provided outside the state of Washington.

NEW SECTION

WAC 388-501-0182 Healthcare provided in another state or U.S. territory—Nonemergency. (1) This rule applies to nonemergency treatment situations occurring in another state or U.S. territory. Applicable situations include, but are not limited to:

(a) Healthcare services that the department has prior authorized for a client; and

(b) Healthcare services obtained by the client, independent of the department, while traveling or visiting.

(2) In accordance with the prior authorization process described in WAC 388-501-0165, except as specified in subsection (3) of this section, the department pays for covered nonemergency healthcare services provided to an eligible Washington state medical assistance client in another state or U.S. territory to the same extent that it pays for covered non-emergency services provided within the state of Washington when the department determines that:

(a) Services are medically necessary and the client's health will be endangered if the client is required to travel to the state of Washington to receive the needed care;

(b) Medically necessary services are not available in Washington state or designated bordering cities (see WAC 388-501-0175) and are more readily available in another state; or

(c) It is general practice for clients in a particular Washington state locality to use medically necessary resources in a bordering state.

(3) The department pays for covered nonemergency healthcare services furnished to an eligible Washington state medical assistance client in another state or U.S. territory, unless the out-of-state provider is unwilling to accept the department's payment as payment in full according to 42 CFR 447.15. The department does not pay when the provider refuses to accept the department's payment as payment in full.

(4) The department does not pay for medically necessary, nonsymptomatic treatment (i.e., preventive care) fur-

nished outside the state of Washington unless it is furnished in a designated bordering city, which is considered the same as an in-state city for the purposes of healthcare coverage (see WAC 388-501-0175). Covered nonemergency services requiring prior authorization, when provided in the state of Washington, also require prior authorization, when provided in a designated bordering city (see WAC 388-501-0165 for the department's medical necessity determination process).

(5) See WAC 388-501-0180 for additional information regarding healthcare services provided outside the state of Washington.

(6) The department's health and recovery services administration's (HRSA) assistant secretary or designee reviews all exception to rule (ETR) requests.

NEW SECTION

WAC 388-501-0184 Healthcare services provided outside of the United States and U.S. territories or in a foreign country. For the purposes of this section the term "healthcare services" does not include the diagnosis and treatment for alcohol and/or substance abuse and mental health services.

(1) The provisions of WAC 388-501-0182 apply to this section.

(2) The department does not pay for healthcare services furnished in a foreign country, except for medical services furnished in the province of British Columbia, Canada, under the conditions specified in this section. The department pays for medical services furnished in British Columbia to the following Washington state medical assistance clients only:

(a) Those who reside in Point Roberts, Washington;

(b) Those who reside in Washington communities along the border with British Columbia, Canada (see subsection (3) of this section for further clarification); and

(c) Members of the Canadian First Nations who live in Washington state.

(3) For those medical assistance clients identified in subsection (1) of this section, the department covers emergency and nonemergency medical services provided in British Columbia, Canada, when the services are:

(a) Within the scope of the client's healthcare program as specified in chapter 388-501 WAC;

(b) Allowed to be provided outside the United States and U.S. territories by specific program WAC; and

(c) Medically necessary as defined in WAC 388-500-0005.

(4) For those medical assistance clients identified in subsection (1) of this section, the department covers nonemergency medical services in British Columbia, Canada, only when:

(a) It is general practice for Washington state medical assistance clients residing in these particular localities to use medically necessary resources across the Canadian border; or

(b) The medical services in British Columbia are closer or more readily accessible to the client's Washington state residence. As applied to nonemergency medical services, the phrase "closer or more readily accessible to the client's Washington state residence" means:

(i) There is not a United States provider for the same service within twenty-five miles of the client's Washington state residence; and

(ii) The closest Canadian provider of service is closer than the closest U.S. provider of the service.

(5) The department does not cover services provided outside of the United States under the involuntary treatment act (chapter 71.05 RCW and chapter 388-865 WAC).

(6) When the department pays for covered medical services furnished to a Washington state medical assistance client in British Columbia, its payment is payment in full according to 42 CFR 447.15. The department does not pay when the provider refuses to accept the department's payment as payment in full.

AMENDATORY SECTION (Amending WSR 01-02-076, filed 12/29/00, effective 1/29/01)

WAC 388-502-0120 Payment for ((medical care)) healthcare services provided outside the state of Washington. (1) The ((medical assistance administration (MAA))) department pays ((the provider of service in designated bordering cities as if the care were provided within)) for healthcare services provided outside the state of Washington (((see WAC 388-501-0175)). MAA requires providers to meet the licensure requirements of the state in which care is rendered)) only when the service meets the provisions set forth in WAC 388-501-0180, 388-501-0182, 388-501-0184, and specific program WAC.

((MAA does not authorize payment for out-of-state medical care furnished to clients in state-only funded medical programs)) With the exception of hospital services and nursing facilities, the department pays the provider of service in designated bordering cities as if the care was provided within the state of Washington (see WAC 388-501-0175).

((MAA applies the three-month retroactive coverage as defined under WAC 388-500-0005 to covered medical services that are furnished to eligible clients by out-of-state providers)) With the exception of designated bordering cities, the department does not pay for healthcare services provided to clients in medical care services (MCS) programs outside the state of Washington (see WAC 388-556-0500).

((MAA requires out-of-state providers to obtain a valid provider number in order to be reimbursed.))

((a) MAA requires a completed core provider agreement, and furnishes the necessary billing forms, instructions, and a core provider agreement to providers.))

((b) MAA issues a provider number after receiving the signed core provider agreement.))

((c) The billing requirements of WAC 388-502-0100 and 388-502-0150 apply to out-of-state providers)) With the exception of hospital services (see subsection (5) of this section), the department pays for healthcare services provided outside the state of Washington at the lower of:

((a) The billed amount; or

((b) The rate established by the Washington state medical assistance programs.))

((5) ((For Medicare eligible clients, providers must submit Medicare claims, on the appropriate Medicare billing form, to the intermediary or carrier in the provider's state. If

the provider checks the Medicare billing form to show the state of Washington as being responsible for medical billing, the intermediary or carrier may either:

((a) Forward the claim to MAA on behalf of the provider; or

((b) Return the claim to the provider, who then submits it to MAA)) The department pays for hospital services provided in designated bordering cities and outside the state of Washington in accordance with the provisions of WAC 388-550-3900, 388-550-4000, 388-550-4800 and 388-550-6700.

((6) ((For covered services for eligible clients, MAA reimburses approved out-of-state nursing facilities at the lower of:

((a) The billed amount; or

((b) The adjusted statewide average reimbursement rate for in-state nursing facility care)) The department pays nursing facilities located outside the state of Washington when approved by the aging and disability services administration (ADSA) at the lower of the billed amount or the adjusted statewide average reimbursement rate for in-state nursing facility care, only in the following limited circumstances:

((a) Emergency situations; or

((b) When the client intends to return to Washington state and the out-of-state stay is for:

((i) Thirty days or less; or

((ii) More than thirty days if approved by ADSA.))

((7) ((For covered services for eligible clients, MAA reimburses approved out-of-state hospitals at the lower of)) To receive payment from the department, an out-of-state provider must:

((a) ((The billed amount)) Have a signed agreement with the department; ((or)))

((b) ((The adjusted statewide average reimbursement rate for in-state hospitals)) Meet the functionally equivalent licensing requirements of the state or province in which care is rendered:))

((c) Meet the conditions in WAC 388-502-0100 and 388-502-0150;))

((d) Satisfy all Medicaid conditions of participation;))

((e) Accept the department's payment as payment in full according to 42 CFR 447.15; and))

((f) If a Canadian provider, bill at the U.S. exchange rate in effect at the time the service was provided.))

(8) For covered services for eligible clients, MAA reimburses other approved out-of-state providers at the lower of:

((a) The billed amount; or

((b) The rate paid by the Washington state Title XIX Medicaid program.))

AMENDATORY SECTION (Amending WSR 02-13-074, filed 6/14/02, effective 7/15/02)

WAC 388-535-1550 Payment for dental care provided out-of-state. ((1) Clients, except those receiving services under state-funded only programs, who are temporarily outside the state receive the same dental care services as clients in the state, subject to the same exceptions and limitations.

(2) The medical assistance administration (MAA) does not cover out of state dental care for clients receiving services under state funded only programs.

(3) Eligible clients in MAA designated border areas may receive the same dental services as if provided in state.

(4) Dental providers who are out of state must meet the same criteria for payment as in-state providers, including the requirements to contract with MAA. See WAC 388-535-1070, Dental-related services provider information) See WAC 388-501-0180, 388-501-0182, and 388-501-0184 for services provided outside the state of Washington. See WAC 388-501-0175 for designated bordering cities.

AMENDATORY SECTION (Amending WSR 04-17-118, filed 8/17/04, effective 9/17/04)

WAC 388-546-0800 Payment for ambulance services ((outside the state of Washington)) provided in another state or U.S. territory. (1) ((The medical assistance administration (MAA) pays for emergency transportation provided to MAA's eligible fee for service clients who are out of state at the time of service (see WAC 388-546-0150 for exceptions).))

MAA requires out-of-state ambulance providers who provide covered medical services to eligible MAA clients to:

(a) Meet the licensing requirements of the ambulance provider's home state (United States of America and its territories only); and

(b) Complete and sign an MAA core provider agreement.

(2) MAA does not pay for an out-of-state ambulance transport for a fee-for-service client when:

(a) The client's medical eligibility program covers medical services within Washington state and/or designated bordering cities only. See WAC 388-546-0150 and 388-546-0200(5);

(b) The ambulance transport is taking the client to an out-of-state treatment facility for a medical service, treatment or procedure that is available from a facility within Washington state or in a designated bordering city; or

(c) The transport was nonemergent and was not prior authorized by MAA.

(3) Except as provided in subsection (6) of this section, MAA pays out-of-state medical transportation ambulance providers at the lower of:

(a) The provider's billed amount; or
(b) The rate established by MAA.

(4) MAA requires any out-of-state ground ambulance provider who is transporting MAA clients within the state of Washington to comply with RCW 18.73.180 regarding stretcher transportation.

(5) Ambulance providers who provide medical transportation that takes a client out of state or that brings a client in state from an out-of-state location must obtain MAA's prior authorization. Under no circumstances are such transports covered for clients under the Involuntary Treatment Act (ITA).

(6) MAA pays ambulance providers the agreed upon amount for each medically necessary interstate ambulance trip that has MAA's prior authorization. The provider is

responsible for ensuring that all necessary services associated with the transport are available and provided to the client. In transports involving negotiated rates, the provider is responsible for the costs of all services included in the contractual amount. The contractual amount for an air ambulance transport may include ground ambulance fees at the point of pickup and the point of destination)) The department pays for emergency ambulance transportation provided to eligible Washington state fee-for-service medical assistance clients who are in another state or U.S. territory when the emergency medical situation occurs according to the provisions of WAC 388-501-0180, 388-501-0182, and 388-502-0120.

(2) To receive payment from the department, an out-of-state ambulance provider must:

(a) Meet the licensing requirements of the ambulance provider's home state or province; and

(b) Have a signed agreement with the department.

(3) The department pays for emergency ambulance transportation provided out of state for an eligible Washington state medical assistance client under fee-for-service when the transport is:

(a) Within the scope of the client's medical care program;

(b) Medically necessary as defined in WAC 388-500-0005; and

(c) To the nearest appropriate treatment facility.

(4) The department does not pay for an ambulance transport provided in another state for a fee-for-service Washington state medical assistance client when:

(a) The client's medical eligibility program covers medical services within Washington state and/or designated bordering cities only. See WAC 388-546-0150 and 388-546-0200(5);

(b) The ambulance transport was nonemergent and was not prior authorized by the department.

(5) The department pays for emergency ambulance transportation at the lower of:

(a) The provider's billed amount; or

(b) The rate established by the department.

(6) To receive payment from the department for a non-emergency transport, an ambulance provider, who transports a Washington state medical assistance client to a facility that is out of state or brings a client into the state from a location that is out of state, must obtain prior authorization from the department.

(7) The department pays a negotiated rate for a medically necessary nonemergency interstate ambulance transport that the department has prior authorized. The ambulance provider is responsible for ensuring that all medical services necessary for the client's safety during the transport are available onboard the vehicle or aircraft. The contractual amount for a nonemergency air ambulance transport may include:

(a) The cost of medically necessary ground ambulance transport from the discharging facility to the point-of-pickup (airstrip); and

(b) The cost of medically necessary ground ambulance transport from the landing point (airstrip) to the receiving facility.

(8) The department does not pay to transport clients under the involuntary treatment act (ITA) program to or from locations outside the state of Washington. For ITA purposes,

transports to or from designated bordering cities are not covered. See WAC 388-546-4000.

(9) The department requires out-of-state ground ambulance providers who transport a Washington state medical assistance client into, within, or outside the state of Washington, to comply with RCW 18.73.180 regarding stretcher transportation.

AMENDATORY SECTION (Amending WSR 04-17-118, filed 8/17/04, effective 9/17/04)

WAC 388-546-0900 Ambulance coverage in Canada, Mexico, and other countries. The ((medical assistance administration (MAA) covers)) department does not cover ambulance transportation for eligible ((fee-for-service)) medical assistance clients traveling outside of the United States and U.S. territories((, subject to the provisions and limitations of this chapter)). See WAC 388-501-0184 for ambulance coverage in British Columbia, Canada.

AMENDATORY SECTION (Amending WSR 01-06-029, filed 3/2/01, effective 4/2/01)

WAC 388-546-5100 Nonemergency transportation program scope of coverage. (1) ((MAA)) The department's health and recovery services administration (HRSA) covers transportation that is necessary for its clients to receive medically necessary ((MAA)) HRSA covered services. See WAC 388-546-0100 through 388-546-1000 for Ambulance transportation that covers emergency ambulance transportation and limited nonemergency ground ambulance transportation as medical services.

(2) Licensed ambulance providers, who contract with ((MAA's)) HRSA's transportation brokers, may be reimbursed for nonemergency transportation services under WAC 388-546-5200 as administrative services.

(3) ((MAA)) HRSA covers nonemergency transportation under WAC 388-546-5000 through 388-546-5500 as an administrative service as provided by the Code of Federal Regulations (42 CFR 431.53 and 42 CFR 440.170 (a)(2)). As a result, clients may not select the transportation provider(s) or the mode of transportation (**service mode**).

(4) Prior authorization by ((MAA)) HRSA is required for all out-of-state nonemergency transportation. Border areas as defined by WAC 388-501-0175 are considered in-state under this section and subsequent sections.

(a) HRSA reviews requests for out-of-state nonemergency transportation in accordance with regulations for covered healthcare services, including WAC 388-501-0180, 388-501-0182 and 388-501-0184.

(b) Nonemergency transportation is not provided to or from locations outside of the United States and U.S. territories, except for the limitations for British Columbia, Canada, identified in WAC 388-501-0184.

(5) ((MAA)) HRSA requires all nonemergency transportation to and from covered services to meet the following:

(a) The covered service must be medically necessary as defined in WAC 388-500-0005;

(b) It must be the lowest cost available service mode that is both appropriate and accessible to the client's medical condition and personal capabilities; and

(c) Be limited to the **local provider of type** as follows:

(i) Clients receiving services provided under ((MAA's)) HRSA's fee-for-service program may be transported only to the local provider of type. ((MAA's)) HRSA's transportation broker is responsible for considering and authorizing exceptions.

(ii) Clients enrolled in ((MAA's)) HRSA's managed care (healthy options) program may be transported to any provider supported by the client's managed care plan. Clients may be enrolled in a managed care plan but are obtaining a specific service not covered under the plan. The requirements in subsection (5)(c)(i) apply to these fee-for-service services.

(6) ((MAA)) HRSA does not cover nonemergency transportation services if the covered medical services are within three-quarters of a mile walking distance from the client's residence. Exceptions to this rule may be granted by ((MAA's)) HRSA's transportation broker based on the client's documented medical condition or personal capabilities, or based on safety or physical accessibility concerns, as described in WAC 388-546-5400(1).

(7) A client must use personal or informal transportation alternatives if they are available and appropriate to the client's needs.

(8) If a fixed-route public transportation service is available to the client within three-quarters of a mile walking distance, the broker may require the client to use the fixed-route public transportation system unless the need for more specialized transportation is present and documented. Examples of such a need are the client's use of a portable ventilator, a walker or a quad cane.

(9) ((MAA)) HRSA does not cover any nonemergency transportation service that is not addressed in WAC 388-546-1000 or in 388-546-5000 through 388-546-5500. See WAC 388-501-0160 for information about obtaining approval for noncovered transportation services, known as exception to rule (ETR).

(10) If a medical service is approved by ETR, both the broker and MAA must separately prior approve transportation to that service.

(11) ((MAA)) HRSA may exempt members of federally recognized Indian tribes from the brokered transportation program. Where ((MAA)) HRSA approves the request of a tribe or a tribal agency to administer or provide transportation services under WAC 388-546-5000 through 388-546-5400, tribal members obtain their transportation services as provided by the tribe or tribal agency.

(12) A client who is denied service under this chapter may request a fair hearing per chapter 388-02 WAC.

WSR 08-03-117

PROPOSED RULES

DEPARTMENT OF LABOR AND INDUSTRIES

[Filed January 22, 2008, 3:03 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 07-11-146.

Title of Rule and Other Identifying Information: Chapter 296-200A WAC, Contractor certificate of registration.

Hearing Location(s): Department of Labor and Industries, Tukwila Service Location, 12806 Gateway Drive, Tukwila, WA, on February 26, 2008, at 10:00 a.m.; at the Department of Labor and Industries, 7273 Linderson Way S.W., Tumwater, WA, on February 28, 2008, at 9:00 a.m.; and at the Department of Labor and Industries, Moses Lake Service Location, 3001 West Broadway Avenue, Moses Lake, WA, on March 6, 2008, at 10:00 a.m.

Date of Intended Adoption: April 1, 2008.

Submit Written Comments to: Sally Elliott, P.O. Box 44400, Olympia, WA 98504-4400, e-mail yous235@lni.wa.gov, fax (360) 902-5292, by March 4, 2008.

Assistance for Persons with Disabilities: Contact Sally Elliott by February 15, 2007 [2008], at yous235@lni.wa.gov or (360) 902-6411.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This rule making is a result of chapter 436, Laws of 2007 (SHB 1843), which passed the 2007 legislature. The legislation closed loopholes that left consumers vulnerable and strengthened L&I's ability to enforce current law. The legislation addresses recent court rulings that conflicted with past practices, adds a requirement that the prevailing party in a suit against a contractor to notify L&I of all judgments and legal actions resulting from the suit, increases violations of the statute to a gross misdemeanor which will allow the department and local prosecutors additional time to build a case against an unregistered contractor. It also lowers the threshold for the department to triple the contractors' bond.

The contractor registration rules were reviewed to ensure consistency with statute, industry practice, and for clarification.

Reasons Supporting Proposal: See Purpose above.

Statutory Authority for Adoption: Chapter 18.27 RCW and chapter 436, Laws of 2007 (SHB 1843).

Statute Being Implemented: Chapter 18.27 RCW and chapter 436, Laws of 2007 (SHB 1843).

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Department of labor and industries, governmental.

Name of Agency Personnel Responsible for Drafting: Pete Schmidt, Tumwater, Washington, (360) 902-5571; Implementation and Enforcement: Patrick Woods, Tumwater, Washington, (360) 902-6348.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The department has considered whether these proposed rules are subject to the Regulatory Fairness Act and has determined they do not require a small business economic impact statement because the proposed rules are in response [to] the passage of SHB 1843 (see RCW 19.85.025 referencing exemptions listed under RCW 34.05.310 (4)(c)).

A cost-benefit analysis is not required under RCW 34.05.328. A cost-benefit analysis was not prepared under RCW 34.05.328. The department considered whether these proposed rules are subject to the Regulatory Fairness Act and has determined they do not require a cost-benefit analysis

because the proposed rules are clarifying the rules in response [to] the passage of SHB 1843 (see exemptions, RCW 34.05.-328 (5)(b)(iii)).

January 22, 2008

Judy Schurke
Director

AMENDATORY SECTION (Amending WSR 03-20-097, filed 9/30/03, effective 11/17/03)

WAC 296-200A-015 What terms do I need to know to understand this chapter? For the purposes of this chapter, the following terms and definitions are important:

"**Administrative law judge**" is any person appointed by the chief administrative law judge (as defined in RCW 34.12.020(2)) to preside at a notice of infraction appeal hearing convened under chapter 18.27 RCW and this chapter.

"**Appeal bond**" is a certified check or money order in the amount prescribed under RCW 18.27.250 made payable to the Washington state department of labor and industries.

"**Appeal hearing**" is any proceeding in which an administrative law judge is empowered to determine legal rights, duties or privileges of specific parties on behalf of the director.

"**Applicant**" is any person, firm, corporation or other entity applying to become a registered contractor according to chapter 18.27 RCW and this chapter. Applicant includes all principal officer(s), members, partners of a partnership, firm, corporation, or other entity named on the application.

"**Citation**" means the same as "infraction."

"**Compliance inspector**" refers to the departmental staff responsible for investigating potential violations of chapter 18.27 RCW and this chapter.

"**Consultant**" means any person, individual, firm, agent or other entity who directs, controls or monitors construction activities for a property owner. A general contractor registration is required. A licensed professional acting in the capacity of their license is exempt from registration.

"**Contractor compliance chief**" refers to the person designated by the director to address all policy and technical issues related to chapter 18.27 RCW and this chapter.

"**Department**" refers to the department of labor and industries.

"**Developer**" means any person, firm, corporation or other entity that undertakes:

- The subdivision or development of land for residential purposes; or

- The construction or reconstruction of one or more residential units.

A general contractor registration is required.

"**Director**" refers to the director of the department of labor and industries or the director's designee acting in the place of the director.

"**Final judgment**" means any money that is owed to a claimant as a result of court action or settlement against a contractor and/or contractor's bond or assigned savings account with the department or any money that is owed the department as a result of a contractor's unsuccessful appeal of an infraction. Final judgment also includes any penalties assessed against the contractor and owed the department as a

result of an ((unappealed)) infraction or notice of correction that has not been appealed, final tax warrants or any ((outstanding)) delinquent fees or penalties due ((under this chapter)).

"Final tax warrant" is a document used by the department to establish the debt of a tax payer.

"Infraction" means a violation of chapter 18.27 RCW and this chapter as cited by the chief contractor compliance inspector or the department's construction compliance inspectors.

"On-premise sign" means a sign at a permanent place of business or a sign placed at a job location while the registered contractor is working at the site. A sign left at a work site after a contractor has left is not an "on-premise" sign and must contain the registered contractor's registration number.

"Property management company" means any person, firm or other entity that in the pursuit of a property management business advertises, bids/offers, or performs construction, maintenance or repair services with their own employees on property not owned by the property management company. A general contractor registration is required.

"Renewal" or **"renewed"** means the renewal of a contractor's registration before it expires.

"Reinstatement" or **"reinstated"** means the reinstatement of a contractor's registration after the registration has expired, or has been suspended, or been revoked.

"Preregistration" or **"reregister"** means an update to a contractor's registration because of business structure change.

"Secured contractor" is a contractor who has complied with RCW 18.27.040 by assigning to the department a savings account held in a Washington state bank, or by filing with the department a surety bond.

"Security" is a savings account held in a Washington state bank and assigned to the department in lieu of a surety bond.

"Unregistered contractor" means a person, firm, corporation or other entity working as a contractor without being registered in compliance with chapter 18.27 RCW and this chapter.

"Unsatisfied final judgment" means a judgment that has not been satisfied either through payment, court approved settlement, discharge in bankruptcy, or assignment under RCW 19.72.070.

NEW SECTION

WAC 296-200A-016 What are the definitions of the specialty contractor classifications for the purpose of contractor registration only? (1) **"Appliances, equipment"** - A contractor in this specialty installs or replaces appliances where minimal gas and water connection are required, such as a refrigerator with an icemaker, gas clothes dryer, gas cook top, gas oven or other similar appliances and only from the existing shut off at wall or floor to the appliance or an appliance that becomes a fixed part of a structure (use of flex for the connection is limited to six feet or less). *The installation or replacement of dishwashers, hot water tanks, and garbage disposals requires a plumber certification per chapter 18.106 RCW and/or an electrical license per chapter 19.28 RCW.*

(2) **"Asbestos and lead"** - A contractor in this specialty cleans, handles, repairs, removes, encapsulates, encloses, hauls and disposes of paper or hard block insulation on hot water piping, heating ducts, or as molded pipe fitting insulation and joint compounds on furnaces or floor tiles, sheet flooring, ceiling tiles and acoustical (stucco) finishes or as wall and attic insulation materials, or for shingles or siding material and cement pipes for interior or exterior asbestos or lead products. *All asbestos contractors shall adhere to state (DOSH) and/or federal (OSHA) standards regulating all forms of this hazardous material. Asbestos certification per chapter 296-65 WAC is required. Lead abatement certification for workers may be required per chapter 70.103 RCW.*

(3) **"Awnings, canopies, patio covers and exterior screens"** - A contractor in this specialty installs and repairs window awnings, door hoods, exterior screens, freestanding or attached canopies, and patio covers constructed of metal, fabric, fiberglass, and plastic.

(4) **"Boiler, steam fitting, process piping"** - A contractor in this specialty installs, services and repairs power boiler installations and hot water heating systems, including fire-tube and water-tube steel power boilers and hot water heating low pressure boilers, steam fitting and piping, fittings, valves, gauges, pumps, radiators, convectors, hydraulics, fuel oil tanks and fuel oil lines. Also includes chimney connections, flues, refractories, burners, thermal insulation, and accessories, fuel and nonpotable water lines from source of supply to boilers; process and specialty piping and related equipment, pneumatic and electrical control, sheet insulation and all other equipment, including solar heating equipment associated with these systems. *Work in this specialty may also require plumber certification per chapter 18.106 RCW and/or an electrical license per chapter 19.28 RCW.*

(5) **"Cabinets, millwork and finish carpentry"** - A contractor in this specialty installs cabinets, countertop frames, cases, sashes, doors (including hardware), trims, non-bearing partitions, closets and other items of finish carpentry by cutting, surfacing, joining, gluing, and framing wood and wood products. Also places, erects, fabricates and finishes such cabinets and millwork in structures, including the cutting, framing, installation and finishing of wood and wood products, such as prefabricated cabinets and millwork.

(6) **"Central vacuum systems"** - A contractor in this specialty installs, modifies, or repairs central vacuum systems, pneumatic tube dispatching systems or any other type of pipeline which operates systems of reduced pressure for industrial and residential cleaning. *(This specialty does not include any medical or hazardous waste systems.)*

(7) **"Closets"** - A contractor in this specialty installs, repairs and maintains the lateral or horizontal shelving systems, racks, rails, or drawers involved in a closet or storage system.

(8) **"Commercial/industrial refrigeration"** - A contractor in this specialty installs, alters, and repairs refrigeration equipment and systems used for processing, storage, and display of food products and other perishable commodities for the control of air temperatures below fifty degrees Fahrenheit. This allows construction, fabrication, erection, installation, service, maintenance and repairs of devices, machinery and units, including refrigerators, refrigerated rooms, air-

conditioning units and insulated spaces. Also includes installation of any related insulation, ducts, blowers, registers, controls over humidity and thermostatic controls for the control of air, liquid, and/or gas temperatures below fifty degrees Fahrenheit or ten degrees Celsius. *Work in this specialty may also require an electrical license per chapter 19.28 RCW.*

(9) "**Concrete**" - A contractor in this specialty completes all work in connection with the processing and placing of concrete composed of materials common to the concrete industry, including finishing, coloring, curing, repairing, testing, drilling, sawing, grinding, chipping, and grouting. Placing film barriers, sealing, and waterproofing are included. The construction, centering, and assembling of forms, molds, slip forms, and pans.

(10) "**Construction clean-up**" - A contractor in this specialty cleans up and/or removes from buildings, grounds or structures any debris resulting from any construction project including but not limited to: Concrete, plaster, drywall, any paint or adhesive products from windows, floors, ceramic tile and bathroom fixtures. (*Registration is not required for janitorial services, i.e., at final cleaning.*)

(11) "**Demolitions and salvage**" - A contractor in this specialty is involved in the wrecking of existing structures intended for disposal or salvage, by use of tools, equipment or explosives, and the raising, cribbing and underpinning of buildings and other structures so the alterations, repairs and temporary structures may be constructed under the retained and undisturbed portion of the building or other structures. Includes the erection of temporary ramps, barricades, and pedestrian walkways when required for demolition/wrecking and/or salvage projects. (*This specialty does not include the alterations, additions, repairs or rehabilitation of the permanently retained portions of such structures.*)

(12) "**Doors, gates and activating devices**" - A contractor in this specialty installs, modifies or repairs all types of residential, commercial or industrial doors including sliding door assemblies. This includes but is not limited to: Wood and screen doors, metal-clad doors, glass sliding/stationary doors and frames, automatic revolving doors, hospital cubical doors and related installations. *Work in this specialty may also require an electrical license per chapter 19.28 RCW.*

(13) "**Drain cleaning and snaking**" - A contractor in this specialty can perform camera examination, cleaning or snaking of building drainage and vent pipes and/or sewer pipe. Nothing in this specialty is intended to waive any plumbing certification requirements of chapter 18.106 RCW or any local enforcement agency code provisions or allow for the removal, installation or replacement of any damaged plumbing parts or fixtures.

(14) "**Drilling, blasting and soil sampling**" - A contractor in this specialty does core and post hole drilling, horizontal drilling (no piping) and drilling for placement of charges and performing blasting work and performs soil sampling. (*Does not include water well drilling.*) *Work with explosives requires licensing per chapter 70.74 RCW.*

(15) "**Drywall**" - A contractor in this specialty lays out and installs gypsum wall board and gypsum wall board assemblies including nonstructural metal framing members, and performs the taping, primer and texturing operations

including the application of compounds that adhere to wall board to produce a continuous smooth or textured surface. Includes interior lath and plaster repair.

(16) "**Electrical**" - Please see chapter 19.28 RCW.

(17) "**Elevator**" - A contractor in this specialty installs, repairs, alters, relocates, demolishes and maintains elevators and other conveyances, including all associated equipment and equipment associated with the safe and efficient installation and operation of electrical, hydraulic and manual operated elevators. *Work in this specialty may also require elevator licensing per chapter 70.78 RCW and/or an electrical license per chapter 19.28 RCW.*

(18) "**Excavation, grading and land clearing**" - A contractor in this specialty digs, moves and alters materials forming the surface of the earth by digging, horizontal boring, trenching, grading, or compacting the material for a cut, fill, grade, or trench, with hand and power tools, machines and explosives. Included is the placement of shoring, the oiling of base materials, and incidental blasting and drilling. (*This specialty excludes excavating for water, gas, and oil wells.*) *Use of explosives requires licensing per chapter 70.74 RCW.*

(19) "**Fencing**" - A contractor in this specialty constructs, erects, alters, or repairs all types of fences, corrals, runs, railings, cribs, game court enclosures (excludes roof), guard rails and barriers, backstops, posts, flagpoles, and gates. This includes installing, cutting, shaping, fabricating and repair of metal and wood fencing, cattle guards and supplemental materials. (*This specialty excludes masonry walls.*) *Work in this specialty may also require an electrical license per chapter 19.28 RCW.*

(20) "**Fireproofing and coating**" - A contractor in this specialty applies by industry accepted practices independently qualified fireproofing and coating materials that are fire resistant.

(21) "**Fire protection**" - A contractor in this specialty lays out, fabricates, repairs and installs all types of fire protection systems, including all the equipment associated with these systems using water, steam, gas or chemicals. Systems may include the following areas of work and related equipment: Restaurant hood protection systems; fire pumps and drivers; pressure and storage tanks; all piping and valves; sprinkler heads and nozzles; and application of materials for the prevention of corrosion or freezing. *Work in this specialty may also require an electrical license per chapter 19.28 RCW and/or fire-protection licensing.*

(22) "**Floor covering and counter tops**" - A contractor in this specialty installs, repairs or replaces floor covering materials and related accessories including preparation of the surface to be covered. Included are: Linoleum, carpets, carpet backings and pads, and materials manufactured of asphalt, wood, vinyl, laminates, rubber and material common to the industry installed for sanitary and decorative purposes for nonstructural bearing interior and exterior use. Excludes work outlined in subsection (56) of this section. *Work in this specialty may also require plumber certification per chapter 18.106 RCW and/or an electrical license per chapter 19.28 RCW.*

(23) "**Framing and rough carpentry**" - A contractor in this specialty performs any form work, framing or rough carpentry necessary to construct framed structures; installs or

repairs individual components of framing systems and performs any rough carpentry or associated work, including but not limited to the construction or installation of: Subflooring, siding (flat work only), decks, exterior staircases, new exterior doors and railings, fascia, roof decking, truss members and rafters, and sheathing using carpenter hand tools and power tools.

(24) "**Glass and glazing**" - A contractor in this specialty selects, cuts, assembles, and/or installs, replaces and repairs all makes and kinds of glass, glass work, mirrored glass, and glass substitute materials for glazing; executes the installation and glazing of frames, panels, sashes, skylights and glass doors; and/or installs these items in any structure. Also includes the installation of steel and aluminum glass holding members, glass products, and related hardware, as well as standard methods of weatherproofing, caulking, glazing, sealants, and adhesives.

(25) "**Gutters and downspouts**" - A contractor in this specialty installs, repairs, and maintains gutters and exterior downspouts of metal, wood, and plastic and channel devices common to the industry, for the use of water run-off of the exterior of a building.

(26) "**Handyman**" - A contractor in this specialty must be an individual who does all work personally without employees or other specialty contractors. A handyman may perform more than one unrelated specialty trade or craft provided they do all work themselves. All work shall be limited to minor and casual work of existing residential maintenance and repair with a total dollar value of time and materials under two thousand dollars. Work requiring a building permit may not be done by this specialty. If the registered contractor is a corporation or limited liability company (LLC), one person must be identified as a handyman. *Work in this specialty may also require plumber certification per chapter 18.106 RCW and/or an electrical license per chapter 19.28 RCW.*

(27) "**House moving**" - A contractor in this specialty raises, lowers, cribs, underpins, and moves structures, including their foundations. (*This specialty does not include the alterations, additions, repairs or rehabilitation of such structures.*)

(28) "**Heating, ventilation, air-conditioning and refrigeration (HVAC/R)**" - A contractor in this specialty fabricates, installs, services, and maintains equipment for the purpose of heating and cooling of indoor air. Systems may include the following areas of work and related equipment using industry accepted materials: Duct work; air filtering devices; water treatment devices; pneumatic controls; control piping; thermal and acoustical insulation; vibration isolation materials and devices; liquid fuel (propane) piping and tanks; gas piping from service connection to equipment it serves; and stainless steel kitchen systems. Includes the testing and balancing of the air handling systems. Also includes systems that utilize solar energy. *Work in this specialty may also require electrical licensing per chapter 19.28 RCW and/or plumber certification per chapter 18.106 RCW.*

(29) "**Industrial equipment/machines**" - A contractor in this specialty installs all industrial machinery such as generators, compressors and processors which are bolted or otherwise attached so as to be permanently affixed to a structure.

Work in this specialty may also require an electrical license per chapter 19.28 RCW and/or plumber certification per chapter 18.106 RCW.

(30) "**Institutional equipment, stationary furniture, lab tables, lockers**" - A contractor in this specialty installs, alters and repairs equipment and furniture that become a fixed part of the structure, such as stationary desks, lockers, chalkboards, shelving, storage, seats in an auditorium (including stationary bleachers) and equipment used in a stage or gymnasium. Work includes the installation, alteration and repair of institutional kitchen equipment and laboratory equipment, such as stationary counters and tables, shelving partitions, and such other equipment as is generally accepted for use as commercial building accessory.

(31) "**Insulation and acoustical**" - A contractor in this specialty installs, alters, and repairs insulation materials used for the nonmechanical control of heat, sound, and moisture for use in the construction of structures and equipment. Work includes installation methods and devices such as supports, fastening systems, adhesives, mastics, plastics, weather-stripping and material used for the preparation of insulation work and common to the industry. Also includes application and installation of materials to protect or finish insulated surfaces.

(32) "**Irrigation sprinkler systems**" - A contractor in this specialty installs, repairs, and maintains sprinkler systems to distribute water for the purpose of irrigation, dust and soil erosion control using equipment, materials, and fittings common to the industry. Connections to potable water lines, installation of backflow prevention devices for nonpotable water, installation of hose bibs and installation of service lines from source of supply are permitted only when they are an integral part of the sprinkler system and outside a building. *The use of pumps to draw or boost the pressure from any source of water that are used on a residential sprinkler system or for irrigation on a farm require plumber certification per chapter 18.106 RCW and/or an electrical license per chapter 19.28 RCW. (If both the electrical and plumbing trades are pursued this specialty is not allowed.)*

(33) "**Landscape**" - A contractor in this specialty constructs, maintains, repairs, installs and develops landscape systems and facilities for public and private gardens and other areas which are designed to aesthetically, architecturally, horticulturally, or functionally improve the ground within or surrounding a structure or tract or plot of land. Also prepares and grades plots; treats, conditions, prepares, and installs topsoil; performs hydroseed spraying; and plants all decorative vegetation. Landscaping includes installation of nonload bearing slabs, walkways and areas using concrete, brick, stone, or gravel; decorative wooden decks; garden walls, fences and screens up to six feet in height; and all other materials and equipment common to the industry. This specialty includes installation of lawn sprinklers (without pumps), ponds and water-features. *(Excluded from this specialty are cast in place or tilt up concrete, load bearing walls for structures, perimeter fencing along property lines or boundaries.) Work in this specialty may also require an electrical license per chapter 19.28 RCW and/or plumber certification per chapter 18.106 RCW.*

(34) "**Lathing and plastering**" - A contractor in this specialty coats surfaces with a mixture of sand, gypsum plaster, quick-lime or hydrated lime and water, or sand and cement and water, or a combination of such other materials that create a permanent surface coating, including coatings for the purpose of soundproofing and fireproofing. These coatings are applied with a plasterer's trowel or sprayed over any surface which offers a mechanical means for the support of such coating, and will adhere by suction. This contractor also installs lath (including metal studs) or any other material prepared or manufactured to provide a base or bond for such coating.

(35) "**Locks, security alarms and warning systems**" - A contractor in this specialty sets up, installs, maintains and repairs all doors and door assemblies, gates, locks and locking devices, panic and fire rated exit devices, manual and automatic operated gate and door closures and releases, jail and prison locking devices and permanently installed or built-in safes and vaults as well as early warning systems. *Work in this specialty may also require an electrical license per chapter 19.28 RCW.*

(36) "**Masonry**" - A contractor in this specialty installs concrete units and baked clay products; concrete, glass and clay block; natural and manufactured stone; terra cotta; and firebrick or other material for refractory work. Includes the fabrication and installation of masonry component units for structural load bearing and nonload bearing walls for structures and fences installed with or without mortar; ceramic veneer (not tile) and thin brick that resembles full brick for facing; paving; and clear waterproofing, cleaning and caulking incidental to masonry construction. This specialty also includes chimney cleaning and repair.

(37) "**Manufactured/mobile home set up**" - A contractor in this specialty installs, alters, repairs or prepares for moving any type of manufactured mobile home for the purpose of siting the home which includes connections of the plumbing, gas, electrical and foundation system. *Installation of electrical wires and equipment that convey electrical power to the home or to an outlet in the home, and the ground cross-over, requires an electrical license per chapter 19.28 RCW. A certified installer per chapter 46.63B RCW must be employed. (Equipment does not include plug-in household appliances.)*

(38) "**Metal fabrication**" - A contractor in this specialty fabricates, installs and repairs architectural and general products made of sheet metal including but not limited to exhaust hoods, counters, etc. This includes layout, cutting, fabrication, and installation of sheet metal products, assembly and installation of premanufactured sheet metal or other industry accepted products, and bracing and reinforcing materials. *(Does not include structural metal fabrication.)*

(39) "**Overhead/garage doors**" - A contractor in this specialty installs wood, wood panel, steel panel or steel roll-up doors and the rails and support systems common to the industries. The installation of power or hand operated opening/closing motors and devices is included. *Work in this specialty may also require an electrical license per chapter 19.28 RCW.*

(40) "**Painting and wall covering**" - A contractor in this specialty applies materials common to the painting and

decorating industry for protective or decorative purposes. Includes the installation of surface coverings including paints, papers, textures, fabrics, pigments, oils, turpentine, japans, dryers, thinners, varnishes, shellacs, stains, fillers, waxes, adhesives, water, and any other vehicles, mediums, and materials which by evaporation may be mixed and applied to the surface of structures. Surface preparation, caulking, pressure washing, sandblasting, and cleaning preparatory to painting/wall covering are included.

(41) "**Paving/striping/seal coating**" - A contractor in this specialty installs, excavates, grades, compacts, and repairs the application of asphalt/cement to streets, driveways, parking lots, boat ramps, and landing strips and taxiways for an airport. Also includes the filling of cracks and voids in existing surfaces, the application of sealants and the installation of precast bumpers, nonelectrical traffic signs/markers and striping on the surface.

(42) "**Plumbing**" - A contractor in this specialty installs, alters, repairs and renovates all potable water, building supply, and distribution pipes; all plumbing fixtures and traps; all drainage and vent pipes; and all building drains and building sewers, including their respective joints and connections, devices, receptors, and appurtenances within the property lines of the premises and shall include potable water piping, potable water treating or using equipment, medical gas and medical vacuum systems, liquid and fuel gas piping, and water heaters, hydronic heating systems and vents for same. Includes solar heating equipment attached to potable water systems. *Plumber certification is required for work within a building per chapter 18.106 RCW.*

(43) "**Pressure washing**" - A contractor in this specialty uses the force of pressurized water to clean and prepare surfaces for any protective, decorative and/or functional treatment in a commercial or residential structure.

(44) "**Roofing**" - A contractor in this specialty installs and repairs materials common to the industry that form a water tight, weather resistant surface for roofs and decks, including all accessories, plywood, coping, flashing, valleys, gravel stops, and roof insulation panels above the roof decks. The work is completed using the following materials: Asphaltum, pitch, tar, felt, glass fabric, urethane foam, metal roofing systems, flax, shakes, shingles, roof tile, slate or any other roofing, waterproofing, weatherproofing or membrane material(s) or a combination thereof. Also includes roofing related architectural sheet metal. *(This specialty does not allow for structural repair of trusses, beams or joists.)*

(45) "**Sandblasting**" - A contractor in this specialty uses the force of compressed air in conjunction with abrasive materials and prepares surfaces for any protective, decorative and/or functional treatment in a commercial or residential structure.

(46) "**Sanitation systems and/or side sewers**" - A contractor in this specialty fabricates and installs septic tanks, storm drains, and other sewage disposal and drain systems outside the building structures. This classification includes the laying of cast-iron, steel, concrete, vitreous and nonvitreous pipe and any other hardware associated with these systems, including any related excavating, grading, trenching, surfacing and backfilling.

(47) "**Scaffolding and safety railings**" - A contractor in this specialty erects metal or wood scaffolding including temporary sidewalk sheltered construction work barricades, safety railings, stages and bleachers.

(48) "**Service station equipment and maintenance**" - A contractor in this specialty installs auto hoisting equipment, hydraulic systems, grease racks, compressors, air hoses, fuel dispensing, cathodic and other service station equipment. *Work in this specialty may also require an electrical license per chapter 19.28 RCW.*

(49) "**Siding**" - A contractor in this specialty installs all types of exterior siding including but not limited to wood, wood products, vinyl, aluminum and metal siding to new or existing buildings.

(50) "**Signs**" - A contractor in this specialty fabricates and installs all types of signs, including but not limited to: Post or pole supported signs, signs attached to structures, painted wall signs and modifications to existing signs. *Work in this specialty may also require an electrical license per chapter 19.28 RCW.*

(51) "**Steel erectors**" - A contractor in this specialty fabricates and erects structural steel shapes and plates of any profile, perimeter or cross-section, which are or may be used as structural members for buildings and structures, including the rebar, riveting, welding, rigging and metal roofing and decking systems.

(52) "**Structural pest control**" - A contractor in this specialty constructs, repairs, and installs the ventilation screens, bird exclusion devices, and caulking of cracks and holes for exclusion of and repelling pests. Includes the replacement of bird blocking screens.

(53) "**Suspended ceilings and acoustical tile**" - A contractor in this specialty installs, modifies or repairs all types of suspended ceilings, including but not limited to lay-in-grid and other types of systems involving solid, perforated or translucent ceiling panels.

(54) "**Swimming pools, spas and hot tubs**" - A contractor in this specialty constructs, alters, and repairs permanent swimming pools and spas or hot tubs, including associated equipment. May also do repairs to damaged acrylic, fiberglass, porcelain and other like materials in standard bathtubs or showers. *Work in this specialty may also require an electrical license per chapter 19.28 RCW and/or plumber certification per chapter 18.106 RCW.*

(55) "**Tanks and tank removal**" - A contractor in this specialty installs and/or removes fuel storage, grain and other types of tanks which have been or are to be used for dispensing gasoline, diesel fuel, waste oil, kerosene, propane or other chemicals. This work involves the installation and/or removal of all incidental tank related piping. *Work in this specialty may also require an electrical license per chapter 19.28 RCW.*

(56) "**Tile, ceramic, mosaic and natural and manufactured stone**" - A contractor in this specialty prepares surfaces as necessary and installs glazed wall, ceramic, mosaic, quarry, faience, glass mosaic and stone tiles, thin tile that resembles full brick, natural or simulated stone slabs for bathtubs, showers and horizontal surfaces inside of buildings, or any tile units set in the traditional or innovative tile methods, excluding hollow or structural partition tile. *Work in this specialty may also require plumber certification per chapter 18.106 RCW and/or an electrical license per chapter 19.28 RCW.*

cialty may also require plumber certification per chapter 18.106 RCW and/or an electrical license per chapter 19.28 RCW.

(57) "**Tree removal**" - A contractor in this specialty falls and/or removes trees, stumps and/or branches on residential or commercial property or near a residential or commercial structure, outbuilding or fence. *(Stump grinding does not require contractor registration.)*

(58) "**Utilities and telecommunications**" - A contractor in this specialty provides excavation, cabling, horizontal boring, grading, and backfilling necessary for construction of a utility or telecommunication system prior to the line of demarcation. Also performs fabrication and/or installs pipes and piping for the conveyance or transmission of steam, gases, chemicals, and other substances.

(59) "**Window coverings**" - A contractor in this specialty installs window treatment rods and other handling devices and covering products, including but not limited to the following: Material and fabric that make up louvers, shutters, and blinds; residential and commercial draperies; permanent screens; expanded metal window and door guards; and plastic film and/or other treatments applied for temperature control.

(60) "**Water conditioning equipment**" - A contractor in this specialty installs water conditioning equipment or water treatment equipment with the use of only such pipe and fittings as are necessary to connect the water conditioning or water treatment equipment in a water supply system and only within six feet of the water service supply. Drainlines must run to existing floor drain, standpipe or outside the structure. *Work in this specialty may also require plumber certification per chapter 18.106 RCW.*

(61) "**Welding and ornamental metal**" - A contractor in this specialty installs, alters, removes, or repairs all architectural, structural and decorative steel, aluminum or other materials in welding techniques by the use of processes common to the industry.

(62) "**Well Drilling**" - A contractor in this specialty installs and repairs water wells and pumps by boring, drilling, excavating, casing, cementing and cleaning to provide a supply of uncontaminated water. May also install water conditioning equipment and perform soil sampling. *(Excludes the installation of jet and submersible pumps; electrical pump controls and wiring from pump equipment to first readily accessible disconnect; and water line to storage or pressure tank.) Work in this specialty may also require plumber certification per chapter 18.106 RCW or an electrical license per chapter 19.28 RCW. (If both the electrical and plumbing trades are pursued this specialty is not allowed.)*

(63) "**Wood/pellet and gas stove**" - A contractor in this specialty installs wood, pellet, or gas stoves, zero clearance and fire place inserts. These systems may include the following areas of work and related equipment: Air-filtering devices; gas piping from service connection to equipment; chimney, flashing and flues; and outside combustion air ducts. *The installing of piping, ducting and equipment for transmitting the heated air or water produced by the devices may also require an electrical license per chapter 19.28 RCW and/or plumber certification per chapter 18.106 RCW.*

AMENDATORY SECTION (Amending WSR 03-20-097, filed 9/30/03, effective 11/17/03)

WAC 296-200A-025 How does a contractor register, renew, reregister or reinstate its registration? (1) A contractor may register/renew/reregister/reinstate if it:

(a) Completes an application for contractor registration and submits it to the department as required by RCW 18.27.030;

(b) Satisfies one of the following:

(i) Obtains a continuous surety bond in the total amount specified in WAC 296-200A-030 and submits the original bond with bond number to the department (see RCW 18.27.-040); or

(ii) Assigns, to the department, a security deposit in the form of a savings account held in a Washington state bank ((as)) on a department issued form (F625-000-008) in the amounts specified in WAC 296-200A-030;

(c) Obtains public liability and property damage insurance and submits the original insurance certificate with policy number to the department (see RCW 18.27.050); and

(d) Pays the issuance/renewal/reregistration/reinstatement fee shown in WAC 296-200A-900.

(2) A contractor may renew its registration if it submits, to the department, a completed contractor registration renewal notice and the material required in subsection (1)(b) and (c) of this section and pays the renewal fee shown in WAC 296-200A-900. No more than forty-five days before the contractor's registration expires, the department must send a renewal notice to the contractor's last recorded address. It is the responsibility of the contractor to notify the department **in writing** of a change in address.

(3) The contractor must:

(a) Submit all required documents to the department in a manner approved by the department as set forth in subsections (3)(b), (c), (d), and (4) of this section;

(b) Include, on each document, the name exactly as it appears on the contractor registration application or renewal notice;

(c) Include, if renewing a registration, the contractor's registration number on each of the documents; and

(d) Include a copy of the certificate or document (when required) by the secretary of state for the contractor to do business in the state of Washington.

(4) The department will not register, renew, or reinstate the registration of a contractor if:

(a) Any of the required documents are missing;

(b) The documents do not have the proper name of the contractor;

(c) In the case of a renewal, the documents do not include the registration number; or

(d) The applicant or person pursuant to RCW 18.27.030 has an unsatisfied final judgment based on work which is subject to chapter 18.27 RCW and this chapter.

(5) The contractor may request, in a letter filed with the application or renewal materials, that the registration period end on a particular day. However, the registration period cannot exceed two years.

AMENDATORY SECTION (Amending WSR 03-20-097, filed 9/30/03, effective 11/17/03)

WAC 296-200A-030 How much are the surety bond or savings account amounts? (1) The continuous surety bond or savings account amounts for applicants of contractors with five or fewer final judgments involving ((a)) two or more residential single-family dwellings ((on two or more different structures)) in the previous five years are as follows:

(a) Twelve thousand dollars for general contractors.

(b) Six thousand dollars for specialty contractors.

(2) The surety bond or savings account amounts for applicants of contractors with ((six)) three or more final judgments involving ((a)) two or more residential single-family dwellings ((on two or more different structures)) in the previous five years will be based upon (a) and (b) of this subsection. (((a) and (b) of this subsection do not apply to final judgments rendered before July 22, 2001.))

(a) General contractors.

Number of Final Judgments	Bond or Savings Account Amount per ((Calendar Year)) Registration Cycle
((6)) <u>3</u>	\$18,000.00
((7)) <u>4</u>	\$24,000.00
((8)) <u>5</u>	\$30,000.00
((9)) <u>6 or more</u>	\$36,000.00

(b) Specialty contractors.

Number of Final Judgments	Bond or Savings Account Amount per ((Calendar Year)) Registration Cycle
((6)) <u>3</u>	\$ 8,000.00
((7)) <u>4</u>	\$12,000.00
((8)) <u>5</u>	\$16,000.00
((9)) <u>6 or more</u>	\$18,000.00

(3) At the time of reregistration, renewal or reinstatement the department shall only consider final judgments from the previous five years which will be used to determine the bond or savings account amount according to subsection (2)(a) and (b) of this section. ((Final judgments rendered before July 22, 2001, will not be considered toward the required bond or savings account amount.))

(4) A contractor's required bond or savings account amount may only be reviewed for reduction to a lower level at their next regular renewal. The increased bond requirement must remain in effect during the entire registration cycle even if reinstatement or reregistration occurs.

(5) For purposes of this section, final judgment does not include infractions.

AMENDATORY SECTION (Amending WSR 03-20-097, filed 9/30/03, effective 11/17/03)

WAC 296-200A-040 What can cause the suspension of a contractor's registration? (1) A contractor's registra-

tion will be suspended if the following impairments, cancellations, noncompliance, or errors occur:

(a) A surety bond or other security has an unsatisfied final judgment against it or becomes otherwise impaired.

(b) A surety bond is canceled.

(c) An insurance policy is expired, canceled, revoked or the insurer is withdrawn from the insurance policy.

(d) The contractor has an unsatisfied final judgment against it under chapter 18.27 RCW and this chapter.

(e) The department has notice that the contractor is a sole proprietor or ((a)) an owner, principal, or officer of a registered contractor that has an unsatisfied final judgment against it for work within the scope of chapter 18.27 RCW and this chapter.

(f) The department is notified that the contractor has been certified by the department of social and health services as a person who is not in compliance with a support order as provided in RCW 74.20A.320.

(g) The department finds that the contractor has provided false information or has otherwise been registered in error.

(h) The contractor fails to comply with a penalty payment plan agreement.

(i) The contractor has been certified by a ((leading)) lending agency and reported to the department for nonpayment or default on a federally or state-guaranteed educational loan or service conditional scholarship.

(j) The contractor does not maintain a valid unified business identifier number, if required by the department of revenue.

(2) The contractor's registration will be automatically suspended on the effective date of the impairment or cancellation. The department must mail a notice of the suspension to the contractor's address on the certificate of registration by certified mail **and** first class mail within two days after suspension.

(3) A contractor must not advertise, offer to do work, submit a bid, or perform any work as a contractor while its registration is suspended. To continue to operate as a contractor while its registration is suspended is a violation of chapter 18.27 RCW and subject to infractions.

(4) The department shall not deny an application or suspend a registration because of an unsatisfied final judgment if the applicant's or registrant's unsatisfied final judgment was determined by the director to be the result of the fraud or negligence of another party.

AMENDATORY SECTION (Amending WSR 03-20-097, filed 9/30/03, effective 11/17/03)

WAC 296-200A-065 What procedures must be followed when surety bonds and/or other securities approved by the department become impaired? (1) Once the department has been notified that the surety bond or other ((securities)) security approved by the department has been impaired by a final judgment or reduced by payment to an amount less than is required by WAC 296-200A-030, the contractor's registration will automatically be suspended and the department will send a letter to the contractor by certified mail **and** first class mail within two days.

(2) Once the unsatisfied final judgment has been satisfied, the contractor may reapply according to the requirements of this chapter.

AMENDATORY SECTION (Amending WSR 03-20-097, filed 9/30/03, effective 11/17/03)

WAC 296-200A-080 How is a suit filed against a contractor? (1) A civil suit against a contractor must be filed in the superior court of the county in which the work was done or of any county in which jurisdiction of the contractor may be had. Unless the suit is filed in a superior court, the department will not be able to direct payment on an unsatisfied final judgment against a secured contractor.

(2) Notice that a suit has been filed (a summons and complaint) against a contractor, the contractor's bond, and/or the contractor's deposit must be exclusively delivered to the department by registered or certified mail to: P.O. Box 44450, Olympia, Washington 98504-4450 or by any delivery requiring notice of receipt to: 7273 Linderson Way S.W., Tumwater, WA 98501. The notice must be addressed to the department and must include three copies of the summons and complaint filed against the contractor, the contractor's bond and/or the contractor's deposit. The person filing the suit must pay a ((twenty)) fifty-dollar service fee to the department.

(3) The summons and complaint against a contractor must include the following information:

(a) The name of the contractor exactly as it appears in the contractor's registration file;

(b) The contractor's business address;

(c) The names of the owners, partners or officers of the contractor if known; and

(d) The contractor's registration number.

(4) If the suit joins a bonding company, the summons and complaint should also include:

(a) The name of the bonding company that issued the contractor's bond;

(b) The bond number; and

(c) The effective date of the bond.

(5) If the suit is against a contractor using an assigned account in lieu of a bond, the complaint must also include:

(a) The name of the institution where the assigned account is held;

(b) The account number; and

(c) The date the assigned account was opened.

(6) Service is not considered complete until the department receives the documents in Tumwater with the ((twenty)) fifty-dollar fee and three copies of the summons and complaint.

(7) Within two days of receiving a summons and complaint, the department must transmit a copy of the summons and complaint to the registrant at the address listed on the registrant's application or at their last known address provided to the department and to the registrant's surety. Under the definition for "service" as described in RCW 18.27-010(11) as related to mailing of summons and complaints under RCW 18.27.040 the requirement of "return receipt" will be fulfilled by use of the United States Postal Service "tracking and confirming" web site data.

(8) The department will return a summons and complaint without it being served, if the department cannot readily identify either the contractor or bonding company being sued, if the action did not arise under chapter 18.27 RCW, or if the fee and three copies of the summons and complaint are not received.

AMENDATORY SECTION (Amending WSR 03-20-097, filed 9/30/03, effective 11/17/03)

WAC 296-200A-090 How are judgments against contractors paid? (1) **The department can only release or order release of payment for a superior court final judgment.** The department cannot release or order the release of payment to a district court or to satisfy other types of judgments.

(2) Payment of a final judgment by bond. If a contractor is bonded, the department can neither pay a final court judgment against a contractor nor force the contractor or its bonding company to pay. Only the claimant can pursue payment from the contractor or its bonding company.

(3) Payment of a final judgment by assignment of account.

(a) If a contractor's security is held by the department it must be used to pay a superior court final judgment against a secured contractor.

The department must order release of funds to pay a superior court final judgment against a secured contractor if the claimant supplies the department with one certified copy of the unpaid final court judgment. The certified copy must be delivered by registered or certified mail within one year of the date the final judgment was officially entered into the court record.

(b) Assignment of account ((payments)) orders to release funds under subsection (2) of this section will be paid out in the order the final judgment ((is)) are received by the department.

(c) For the department to order release of funds to pay a superior court final judgment, the claimant must include the following information with the copy of the judgment:

- (i) The name of the contractor exactly as it appears on the contractor's registration file;
- (ii) The contractor's business address;
- (iii) The names of the owners, partners, or officers of the contractor;
- (iv) The contractor's registration number; and
- (v) The exact amount of the judgment, including court costs, attorneys' fees and interest.

If the department does not receive enough information to ((pay)) order release of funds to satisfy the judgment, it will inform the claimant.

The department shall have no liability for ((payment)) claims in excess of the amount ((of)) available in the secured account.

(4) Payment of a final judgment by the contractor. The contractor may pay a superior court final judgment in lieu of the department releasing or ordering the release of a bond or the assignment of account funds to satisfy the final judgment. The contractor must provide the department with a "full sat-

isfaction of judgment" from the superior court that the final judgment has been satisfied.

AMENDATORY SECTION (Amending WSR 03-20-097, filed 9/30/03, effective 11/17/03)

WAC 296-200A-111 How does a city, town, or county verify a contractor's registration? ((+)) A city, town, or county may verify ((an original)) contractor's registration by ((receiving and duplicating a current contractor registration card, by)) checking the department's contractor registration internet web site((, checking the computer disk (CD) circulated by the department,)) or by calling the department to confirm that the contractor is registered.

((2) The contractor's registration is valid if the contractor provides a notarized copy of the original contractor registration card or a facsimile verification from the department.

Note: Although the contractor registration card states that the contractor has an active status, the contractor may have since been suspended.)

AMENDATORY SECTION (Amending WSR 03-20-097, filed 9/30/03, effective 11/17/03)

WAC 296-200A-300 What violations of chapter 18.27 RCW can result in the issuance of a notice of infraction? (1) Under RCW 18.27.100, the department can issue a notice of infraction to a contractor and assess a penalty up to ten thousand dollars for:

(a) Using an unregistered name while advertising as a contractor;

(b) Using an unregistered name and address in advertising, correspondence, signs, documents, etc.;

(c) Using a false or expired registration number in advertisements where a contractor's registration number is required;

(d) Using the bond and insurance requirements of chapter 18.27 RCW to advertise as a bonded and insured contractor;

(e) Using a false registration number to either solicit business or pose as a contractor or providing false information on an application for registration as a contractor;

(f) Failing to include the contractor's current registration number in all advertising that shows the contractor's name or address. This registration number may be omitted in an alphabetized listing of registered contractors stating only the name, address, and telephone number. The registration number may also be omitted on company vehicles and on "on-premise" signs. See RCW 18.27.100(3).

((2) For violations of chapter 18.27 RCW, the department may issue penalties for violations and notices of infractions containing an order of correction to a person holding a registration, an applicant for registration, or a person acting in the capacity of a contractor, who is not otherwise exempted from chapter 18.27 RCW, that has violated chapter 18.27 RCW or this chapter. Such order shall require the violator to cease the unlawful advertising.

((3)) Under RCW 18.27.114, the department may issue a notice of infraction to a contractor for:

(a) Failing to provide a residential or commercial customer with a proper disclosure statement before beginning a repair, alterations or construction project; or

(b) Failing to retain a signed copy of the disclosure statement for three years; or

(c) Failing to produce the signed copy when requested by a compliance inspector.

See RCW 18.27.114 (1)(a) and/or (b) for both the project dollar cost limits affecting this requirement and a sample disclosure statement language.

This requirement does not apply to either contracts authorized under chapter 39.04 RCW or to contractors contracting with other contractors.

A service company is not required to execute a disclosure statement prior to receiving payment for a service call unless there is a bid or contract in place. In the case of an annual service contract they may execute the disclosure at the annual contract signing.

((4)) (3) Under RCW 18.27.200, the department must issue a notice of infraction to a contractor for:

(a) Advertising, offering to work, submitting a bid, or performing any contracting work without being registered or when the contractor's registration is suspended or revoked; or

(b) Transferring a valid contractor registration to an unregistered, suspended or expired contractor; or

(c) Allowing an unregistered contractor to work under a registration issued to another contractor.

Each day that a contractor works without being registered, works while the registration is suspended or revoked, or works under a registration issued to another contractor is a separate infraction. A cited contractor who continues to work while unregistered, or while their registration is suspended or revoked, or under a registration issued to another contractor is guilty of a separate gross misdemeanor for each day worked.

Each workday at which a contractor works without being registered, works while the registration is suspended or revoked, or works under a registration issued to another contractor is a separate infraction. A cited contractor who continues to work while unregistered, or while their registration is suspended or revoked, or under a registration issued to another contractor is guilty of a separate gross misdemeanor for each worksite on which a violation occurs.

((5)) (4) Under RCW 18.27.200 (1)(a), the department may issue a notice of infraction to a registered contractor for:

(a) Working outside the scope of their designated specialty registration; or

(b) Subcontracting more than incidental work within the scope of their designated specialty registration.

(5) Under RCW 18.27.040 the department may issue a notice of infraction to a contractor, consumer, supplier or other for: Failure by the prevailing party in a lawsuit against a contractor and/or the contractor's surety or assigned savings account to provide the department a copy of the final judgment or settlement of that suit.

(6) See WAC 296-200A-400 for the specific monetary penalties associated with each of the violations discussed in this section.

AMENDATORY SECTION (Amending WSR 03-20-097, filed 9/30/03, effective 11/17/03)

WAC 296-200A-305 How does the department notify registered contractors ((regarding any)) about unregistered subcontractors they ((may employ)) have employed? (1) Unless a general contractor or its representative has been given written notification by the department that a subcontractor they have employed, who was registered when employed, has subsequently become unregistered, it is not unlawful for the general contractor to employ that subcontractor. (See RCW 18.27.020(3).)

(2) To comply with RCW 18.27.020(3), the department, when feasible, will issue a written "notice of unregistered subcontractors" to a general contractor or its representative.

(3) A "notice of unregistered subcontractor" issued under this section must be personally served on the general contractor named in the notice by the department's compliance inspectors or must be served by certified mail directed to the general contractor named in the notice.

(4) If the general contractor named in the notice is a firm or corporation, the notice may be personally served on any employee of the firm or corporation. If the notice is personally served upon an employee and the department is able to obtain the general contractor's address, the department must send a copy of the notice by certified mail to the general contractor within four days of service.

(5) A "notice of unregistered subcontractor" is not a notice of infraction.

(6) A "notice of unregistered subcontractor" is not required to issue an infraction to a contractor for employing a subcontractor that was unregistered, suspended or expired at the time they were hired by the general contractor.

If no signed contract between the contractor and the unregistered subcontractor exists, the first date of work performed by the subcontractor will be used as the hire date.

(7) If, after receiving the "notice of unregistered subcontractor," the general contractor continues to employ the subcontractor in question, it will be liable for an infraction under RCW 18.27.200.

AMENDATORY SECTION (Amending WSR 03-20-097, filed 9/30/03, effective 11/17/03)

WAC 296-200A-320 How can a notice of infraction be served? (1) A notice of infraction is served when the notice of infraction is issued personally to the contractor named in the notice or to an employee of the contractor named by the compliance inspector issuing it, or when ((the notice of infraction is)) sent by certified mail ((to the contractor)) with "return receipt" requested.

(2) ((Any employee of a contractor can be served a notice of infraction at a job site. When the notice is signed by the employee, it is binding upon the contractor. To avoid confusion, the department must have the employee sign the "name of the contractor, by name of the employee." The signature will appear as:

Jane Doe Construction Co.

((by) Richard Roe, Employee.)) If the notice of infraction is personally served and the person served does not know the

contractor's name or address, the department does not need to mail a copy of the infraction to the contractor; however, the notice remains in force.

AMENDATORY SECTION (Amending WSR 03-20-097, filed 9/30/03, effective 11/17/03)

WAC 296-200A-340 How does a contractor appeal a notice of infraction? ((The contractor must file)) (1) Under RCW 18.27.250 a contractor may appeal a notice of infraction by:

(a) Filing the notice of appeal with the department within twenty calendar days ((after the earlier)) of service of the infraction on-site or ((service of)) within twenty calendar days of the postmark date of the infraction ((mailed to the contractor.)) served through the mail, whichever is earlier; and

(b) Stating the basis for the appeal of the infraction in their written request; and

(c) Including a certified check or money order in the amount of two hundred dollars as a bond on the appeal.

(2) Each notice of infraction required a separate two hundred dollar appeal bond.

(3) These time frames apply to the issuance of the infraction for all violations of chapter 18.27 RCW.

If the twentieth calendar day falls on a holiday or weekend, receipt will be accepted up to the next business day.

AMENDATORY SECTION (Amending WSR 03-20-097, filed 9/30/03, effective 11/17/03)

WAC 296-200A-360 Who may represent the contractor and the department at the appeal hearing? (1) Contractors may be represented by themselves or be represented by an attorney at law qualified to practice in the state of Washington((--er)).

(2) The department shall be represented by the office of the attorney general.

AMENDATORY SECTION (Amending WSR 03-20-097, filed 9/30/03, effective 11/17/03)

WAC 296-200A-390 What does the department do with the appeal notices that they receive? (1) Appeal notices that are received timely are first reviewed by the department for purposes of reconsideration.

(2) Appeal notices that are not received timely will be returned to the appellant with appeal rights stated, and return of the required two hundred dollar appeal bond will be made by a refund check issued by the department.

(3) Appeal notices that are received timely and are not reconsidered according to subsection (1) of this section are recorded and forwarded to the office of the attorney general then to the office of administrative hearings.

AMENDATORY SECTION (Amending WSR 03-20-097, filed 9/30/03, effective 11/17/03)

WAC 296-200A-400 What monetary penalties will be assessed for an infraction issued for violations of RCW

18.27.100, 18.27.110, 18.27.114 or 18.27.200? (1) Each day that a violation occurs will be a separate offense.

(2) Once a violation of chapter 18.27 RCW or this chapter becomes a final judgment, any additional violation within three years becomes a "second" or "additional" offense subject to an increased penalty as set forth in the tables that follow.

(3) Second or additional offenses subject to increased penalties also include individuals or entities.

(4) A person, firm, corporation, or other entity who violates a provision of chapter 18.27 RCW and this chapter is liable for a civil penalty based upon the following schedule.

(a) Monetary penalties that may be assessed for a violation of RCW 18.27.040(10) are:

Monetary Penalties	Dollar Amount
First Final Violation	\$250.00*
Second Final Violation	\$500.00
Third Final Violation	\$750.00
Each Additional Final Violation	\$1,000.00

(b)(i) Monetary penalties that may be assessed for a violation of RCW 18.27.100 (1), (2), (3), and (4) are:

Monetary Penalties	Dollar Amount
First Final Violation	\$ 250.00*
Second Final Violation	\$ ((500.00)) 750.00
Third Final Violation	\$ ((1,000.00)) 2,250.00
Fourth Final Violation	\$ ((2,000.00)) 5,000.00
((Fifth Final Violation	\$ 4,000.00
Sixth Final Violation	\$ 8,000.00))
Each Additional Final Violation	\$ 10,000.00

* Minimum penalty per violation. Once a violation of RCW 18.27.100 (1), (2), (3), and (4) becomes a final judgment, any additional violation is subject to an increased penalty as set forth in the table above.

(ii) Monetary penalties that may be assessed for a violation of RCW 18.27.100(5) are:

Monetary Penalties	Dollar Amount
First Final Violation	\$ ((1,000.00)) 2,000.00*
Second Final Violation	\$ ((2,000.00)) 4,000.00
Third Final Violation	\$ ((4,000.00)) 6,000.00
((Fourth Final Violation	\$ 8,000.00))
Each Additional Final Violation	\$((10,000.00)) 8,000.00

* Minimum penalty per violation. Once a violation of RCW 18.27.100(5) becomes a final judgment, any additional violation is subject to an increased penalty as set forth in the table above.

(iii) Monetary penalties that may be assessed for a violation of RCW 18.27.100(6) are:

Monetary Penalties	Dollar Amount
First Final Violation	\$ 1,000.00*
Second Final Violation	\$ ((2,000.00)) <u>3,000.00</u>
Third Final Violation	\$ ((4,000.00)) <u>6,000.00</u>
Each Additional Final Violation	\$ ((5,000.00)) <u>10,000.00</u>

* Minimum penalty per violation. Once a violation of RCW 18.27.100(6) becomes a final judgment, any additional violation is subject to an increased penalty as set forth in the table above.

((b)) (c) Monetary penalties that may be assessed for a violation of RCW 18.27.110 are:

Monetary Penalties	Dollar Amount
First Final Violation	\$ 250.00*
Second Final Violation	\$ ((500.00)) <u>750.00</u>
Third Final Violation	\$ ((1,000.00)) <u>2,250.00</u>
Fourth Final Violation	\$ ((2,000.00)) <u>7,500.00</u>
(Fifth Final Violation	\$ 4,000.00
Sixth Final Violation	\$ 8,000.00)
Each Additional Final Violation	\$10,000.00

* Minimum penalty per violation. Once a violation of RCW 18.27.110 becomes a final judgment, any additional violation is subject to an increased penalty as set forth in the table above.

((e)) (d) Monetary penalties that may be assessed for a violation of RCW 18.27.114 are:

Monetary Penalties	Dollar Amount
First Final Violation	\$ 500.00*
Second Final Violation	\$ 1,000.00
Third Final Violation	\$ 2,000.00
Fourth Final Violation	\$ 4,000.00
Each Additional Final Violation	\$ 5,000.00

* Minimum penalty per violation. Once a violation of RCW 18.27.114 becomes a final judgment, any additional violation is subject to an increased penalty as set forth in the table above.

((d)) (e) Monetary penalties that may be assessed for a violation of RCW 18.27.200 according to RCW 18.27.340 (1) and (3) are:

(i)

RCW 18.27.340(1) Monetary Penalties	Dollar Amount
First Final Violation	\$ 500.00*
Second Final Violation	\$ ((1,000.00)) <u>3,000.00</u>
(Third Final Violation	\$ 2,000.00

Fourth Final Violation	\$ 4,000.00))
Each Additional Final Violation	\$ 5,000.00
* Minimum penalty per violation. Once a violation of RCW 18.27.340(1) becomes a final judgment, any additional violation is subject to an increased penalty as set forth in the table above.	

(ii)

RCW 18.27.340(3) Monetary Penalties	Dollar Amount
First Final Violation	\$ 1,000.00*
Second Final Violation	\$ ((2,000.00)) <u>3,000.00</u>
(Third Final Violation	\$ 4,000.00))
Each Additional Final Violation	\$ 5,000.00

* Minimum penalty per violation. Once a violation of RCW 18.27.340(3) becomes a final judgment, any additional violation is subject to an increased penalty as set forth in the above table. However, if the unregistered contractor becomes registered within ten days of receiving the notice of infraction and the notice is the contractor's first offense, the director may reduce the penalty. In no case can the director reduce the penalty below five hundred dollars.

((4)) (5) For violations of RCW 18.27.200, the director may waive a penalty collection from a contractor in exchange for a payment of restitution to a damaged consumer in an amount at least equal to the assessed penalty. Prior to the infraction becoming final, the contractor must provide to the department a notarized release from the damaged consumer stating that he or she paid the damaged consumer in an amount at least equal to the assessed penalty.

~~((5)(a) The department shall deny an application for registration if:~~

~~(i) The applicant has been previously performing work subject to this chapter as a sole proprietor, partnership, corporation, or other entity and the department has notice that the applicant has an unsatisfied final judgment against him or her in an action based on this chapter or the applicant owes the department money for penalties assessed or fees due under this chapter as a result of a final judgment;~~

~~(ii) The applicant was a principal or officer of a partnership, corporation, or other entity that either has an unsatisfied final judgment against it in an action that was incurred for work performed subject to this chapter or owes the department money for penalties assessed or fees due under this chapter as a result of a final judgment;~~

~~(iii) The applicant does not have a valid unified business identifier number, if required by the department of revenue.~~

~~(b) The department shall suspend an active registration if the department has notice that the registrant is a sole proprietor or a principal or officer of a registered contractor that has an unsatisfied final judgment against it for work within the scope of this chapter.)~~

NEW SECTION

WAC 296-200A-401 When will the department deny an application for registration, renewal or reinstatement?
The department shall deny an application for registration, renewal or reinstatement if:

(1) The applicant has been previously performing work subject to this chapter as a sole proprietor, partnership, corporation, or other entity and the department has notice that the applicant has an unsatisfied final judgment against him or her in an action based on this chapter or the applicant owes the department money for penalties assessed or fees due under this chapter as a result of a final judgment;

(2) The applicant was an owner, principal, or officer of a partnership, corporation, or other entity that either has an unsatisfied final judgment against it in an action that was incurred for work performed subject to this chapter or owes the department money for penalties assessed or fees due under this chapter as a result of a final judgment;

(3) The applicant does not have a valid unified business identifier number, if required by the department of revenue; or

(4) The applicant has not complied with a department of social and health services - support enforcement division support enforcement order.

NEW SECTION

WAC 296-200A-402 When will the department suspend an active contractor registration? (1) The department shall suspend an active registration if:

(a) The department has notice that the registrant is a sole proprietor or an owner, principal, or officer of a registered contractor that has an unsatisfied final judgment against it for work within the scope of this chapter.

(b) The department has been notified that the contractor owes the department money for work performed under this chapter, such as industrial insurance premiums owed for workers' hours or penalties for violation of chapter 18.27 RCW and this chapter.

(c) The department determines an applicant was registered in error.

(d) The department determines a contractor provided false or misleading information on an application or renewal document.

(e) The department is notified by the department of social and health services - support enforcement division that a registered contractor is not in compliance with a support enforcement order.

(f) The department is notified that a bond, assignment of savings or insurance has been canceled or impaired.

(2) The department may suspend an active registration if: The department has notice that the registrant was a sole proprietor or a principal or officer of a previously registered contractor that has an unsatisfied final judgment against it for work within the scope of this chapter.

AMENDATORY SECTION (Amending WSR 03-20-097, filed 9/30/03, effective 11/17/03)

WAC 296-200A-405 When must a contractor pay assessed monetary penalties? (1) If a contractor named in a notice of infraction does not choose to appeal the notice, then the contractor must pay the department the amount of the penalty prescribed for the infraction.

(2) After an administrative law judge decides that an infraction has been committed, a contractor who does not

appeal the decision to a superior court, has thirty days to pay any outstanding monetary penalties. Failure to do so is a gross misdemeanor and may be prosecuted in the county where the infraction occurred.

(3) A contractor who has exhausted all appeal opportunities and fails to pay an assessed monetary penalty within thirty days after exhausting those opportunities shall be guilty of a gross misdemeanor and may be prosecuted in the county where the infraction occurred.

AMENDATORY SECTION (Amending WSR 07-11-128, filed 5/22/07, effective 6/30/07)

WAC 296-200A-900 What fees does the department charge contractors for issuance, renewal, reregistration, and reinstatement of certificates of registration? The department charges the following fees:

(1) \$113.40 for each issuance, renewal or reregistration of a certificate of registration for contractors. This registration is valid for two years from date of issuance, renewal or reregistration or until it is suspended or revoked.

(2) \$53.60 for the reinstatement of a certificate of registration.

(3) \$12.60 for providing a duplicate certificate of registration.

(4) \$25.60 for each requested certified letter prepared by the department.

(5) \$162.00 for the construction and electrical contractor listing publication on CD ROM per year, prorated according to the number of issues left in the subscription year, which runs from November 1 through October 31. Each issue costs \$13.50.

(6) \$2.00 per copy for documents copied from a contractor's file. The maximum copy charge for copies from one contractor's file will be \$28.10.

(7) \$((20.00)) 50.00 is required to cover the costs for the service of process in an action against a contractor, the contractor's bond, or the deposit under RCW 18.27.040.

(8) \$25.00 is required to cover the costs for the service of processing refunds.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 296-200A-310

What information must be included in a notice of infraction?

WAC 296-200A-330

How are notices of infraction issued?

**WSR 08-03-119
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES**
[Filed January 22, 2008, 3:31 p.m.]

Continuance of WSR 08-01-109.

Title of Rule and Other Identifying Information: Vocational rehabilitation—Vocational improvement project (pilot program), chapter 296-19A WAC, Vocational rehabilitation and chapter 296-15 WAC, Workers' compensation self-insurance rules and regulations.

Date of Intended Adoption: February 29, 2008.

Submit Written Comments to: Valerie Grimm, P.O. Box 44208, Olympia, WA 98504-4208, e-mail colb235@lni.wa.gov, fax (360) 902-4960, by January 31, 2008.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Extend the written comment period through January 31, 2008.

Name of Proponent: Department of labor and industries, governmental.

January 22, 2008
Judy Schurke
Director

WSR 08-03-121
PROPOSED RULES
DEPARTMENT OF HEALTH
(Board of Psychology)
[Filed January 23, 2008, 7:22 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 04-17-130.

Title of Rule and Other Identifying Information: Repealing WAC 246-924-090 Psychologists; and amending WAC 246-924-070 Psychologists written examination, 246-924-095 Failure of oral examination, 246-924-100 Qualifications for granting of license by endorsement, 246-924-150 Certificates of qualification—Procedure for additional areas of function, 246-924-160 Continued supervision of persons receiving certificates of qualification and 246-924-480 Temporary permits; and new section WAC 246-924-495 Qualifications for granting a license.

Hearing Location(s): Everett Events Center, Executive Board Room, 2000 Hewitt Avenue, Everett, WA 98201, on February 29, 2008, at 10:00 a.m.

Date of Intended Adoption: February 29, 2008.

Submit Written Comments to: Betty Moe, Department of Health, P.O. Box 47869, Olympia, WA 98504-7869, web site <http://www3.doh.wa.gov/policyreview/>, fax (360) 236-4909, by February 22, 2008.

Assistance for Persons with Disabilities: Contact Betty Moe, program manager, by February 22, 2008, TTY (800) 833-6388 or 711.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The passing of ESSB 6554 in 2004 gave the examining board of psychology (board) flexibility in the types of examination required by applicants for licensure. The board decided to eliminate the oral examination requirement and require a written jurisprudence examination. The proposed rules clarify the examination requirements and delete the oral exam references.

Reasons Supporting Proposal: The proposed rules are necessary to implement ESSB 6554.

Statutory Authority for Adoption: RCW 18.83.050.

Statute Being Implemented: RCW 18.83.070 and 18.83.072.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Examining board of psychology, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Betty Moe, Program Manager, 310 Israel Road, Tumwater, WA, (360) 236-4912.

No small business economic impact statement has been prepared under chapter 19.85 RCW. No small business economic impact statement has been prepared in accordance with RCW 19.85.030 (1)(a), the proposed rule will not impose more than minor costs on businesses in an industry.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Betty Moe, Program Manager, Department of Health, P.O. Box 47869, Olympia, WA 9804 [98504], phone (360) 236-4912, fax (360) 236-4909, e-mail Betty.Moe@doh.wa.gov.

January 22, 2008
Karen Kelley
Deputy Executive Director
for Thomas Wall
Chair

AMENDATORY SECTION (Amending Order 349B, filed 3/18/93, effective 4/18/93)

WAC 246-924-070 Psychologists—Written examination. ((Written examination requirements:)) The written exam requirement consists of two separate examinations.

((1) The written examination ((that is used in the state of)) Washington state uses is the national Examination of Professional Practice of Psychology (EPPP). ((The examination consists of objective multiple choice questions covering the major areas of psychology. Each form of the examination contains between 150 and 200 items in the areas listed below:

((1) Background information, including physiological psychology and comparative psychology, learning, history, theory and systems, sensation and perception, motivation, social psychology, personality, cognitive processes, developmental psychology and psychopharmacology.

((2) Methodology including research design and interpretation, statistics, test construction and interpretation, scaling.

((3) Clinical psychology including test usage and interpretation, diagnosis, psychopathology, therapy, judgment in clinical situations, community mental health.

((4) Behavior modification including learning and applications.

((5) Other specialties including management consulting, industrial and human engineering, social psychology, t-groups, counseling and guidance, communication systems analysis.

((6) Professional conduct and ethics including inter-disciplinary relations and knowledge of professional affairs.

The cutoff score which the Washington state board of examiners uses is 70% of the raw score, or the national mean of all first time doctorates, whichever is the lowest.))

(a) The Association of State and Provincial Psychology is responsible for the development and administration of the national exam.

(b) To be considered for licensure applicants must receive a score of at least 70% or the national mean, whichever is lowest.

(2) The jurisprudence examination covers professional judgment, knowledge of state laws, and ethics pertaining to the practice of psychology.

(a) The department of health administers the jurisprudence examination on behalf of the examining board of psychology.

(b) To be considered for licensure applicants must receive a score of at least 90%.

AMENDATORY SECTION (Amending WSR 94-12-039, filed 5/25/94, effective 6/25/94)

WAC 246-924-095 Failure of ((oral)) written examinations. ((After an oral examination failure,)) An applicant ((shall)) who fails either examination required under WAC 246-924-070 may sit for reexamination as follows:

(1) First reexamination: At ((the next)) any following examination administration date ((or any subsequent administration date));

(2) Second or subsequent reexamination: ((At least one year after the date of the first reexamination;

(3) Successive reexamination: At least one year after the date of the previous reexamination and after having shown adequate proof of meeting any additional professional training required by the board.) A minimum of two months after the failure of the previous examination.

AMENDATORY SECTION (Amending WSR 93-21-024, filed 10/13/93, effective 11/13/93)

WAC 246-924-100 Qualifications for granting of license by endorsement. ((+))) Candidates applying for licensure ((pursuant to the provisions of)) under RCW 18.83.170 (1) and (2) shall:

((+))) (1) Provide evidence of meeting the educational requirements set forth in RCW 18.83.070 in effect ((at the time)) when the applicant ((entered)) completed his((/)) or her doctoral program; and

((+))) (2) Pass the ((oral)) jurisprudence examination administered by the ((board pursuant to RCW 18.83.050)) department on behalf of the board, as described in WAC 246-924-070.

((2)) Candidates applying for licensure pursuant to the provisions of RCW 18.83.170(3) shall:

(a) Pass the oral examination administered by the board pursuant to RCW 18.83.050.))

AMENDATORY SECTION (Amending Order 117B, filed 1/28/91, effective 2/28/91)

WAC 246-924-150 Certificates of qualification—Procedure for additional areas of function. A person receiving a certificate of qualification may apply for certification in an additional area of function by updating his/her application form and references((/)) for purposes of board

review under WAC 246-924-160 and submitting the required fee ((and by taking an oral examination in the new area following the procedures outlined above)).

AMENDATORY SECTION (Amending Order 117B, filed 1/28/91, effective 2/28/91)

WAC 246-924-160 Continued supervision of persons receiving certificates of qualification. (1) The law ((states that the)) requires holders of a certificate of qualifications ((must)) to perform psychological functions "under the periodic direct supervision of a psychologist licensed by the board." The board's interpretation of this statement is that ((the)) a holder of a certificate of qualification, referred to as a "psychological assistant," is certified *in tandem* with a licensed psychologist and not in his or her own right. ((That is,)) The board will evaluate ((simultaneously)), at the same time, the professional capabilities of the certificate of qualifications applicant, and the qualifications of the licensed psychologist to supervise the psychological assistant in the specific professional functions outlined by the psychological assistant. The board((('s approval of an association between a))) must examine and approve the professional qualifications of the psychological assistant applicant and ((a)) the licensed psychologist ((is done purely on an examination of the professional qualifications of the two parties concerned and on the execution of an agreement between the two of them as proposed supervisor and supervisee. The board in no way involves itself with the)) and their supervisor-supervisee agreement. The board does not approve specific work conditions, fees, salaries, and related factors ((except insofar as they have a bearing on the)) as relevant to the nature and quality of the professional relationship or services offered to the public.

(2) The applicant must indicate on the application form, in detail, his or her areas of intended practice. After initial screening (evaluation of the person's education, experience, and supervision) and passing the ((national)) written examinations, the applicant shall furnish the board with a plan for continued supervision, which will include detailed information regarding the supervisor, which indicates an agreement to supervise. ((The board will use this information in conjunction with the oral examination to assess the supervision plans.))

(3) Minimum supervision shall ((entail)) include discussion of the psychological assistant's work through regularly scheduled contacts with the supervisor at appropriate intervals. Whenever possible, supervision should consist of occasional direct observation or review of ((taped)) recorded case material. The supervisor shall be responsible for preparing evaluative reports of the psychological assistant's performance, which will be forwarded to the ((division of professional licensing)) board on a periodic basis.

(4) When a licensed psychologist assumes the responsibility of supervision, he or she shares the professional and ethical responsibility for the nature and quality of all of the psychological services ((as)) the psychological assistant may provide. Failure to provide supervision ((when such a relationship is claimed)) as described in the agreement may result in appropriate action against the license of the supervisor.

(5) Interruption or termination of a supervisory relationship shall be promptly communicated to the ((division of professional licensing)) board by the supervisor or the psychological assistant.

(6) In every case where psychological testing is done and a report is written based on that testing by a psychological assistant, the supervising licensed psychologist will countersign the report indicating his or her approval.

(7) An applicant or holder of a certificate may apply to the board for authority to work without immediate supervision in particular areas of function. In these cases, the board may require further evidence of proficiency. Even though the immediate supervision requirement is waived for the psychological ((affiliate)) assistant, periodic supervisory consultation as deemed appropriate by the board is required. Evidence of supervisory consultation must be submitted to the ((division of professional licensing)) department of health with the annual license renewal fee.

(8) The board will conduct appropriate review and make its decision under this section for any application submitted under WAC 246-924-150 for certification of an additional area of function.

AMENDATORY SECTION (Amending Order 117B, filed 1/28/91, effective 2/28/91)

WAC 246-924-480 Temporary permits. ((1) Pursuant to RCW 18.83.082(1);)) A temporary permit is issued ((to a license applicant:

((a))) under RCW 18.83.082 and is valid for no more than ((4)) ninety days within one calendar year from the date ((of issue;

((b)) Is terminated if the license applicant fails either the written or oral examination administered by the board pursuant to RCW 18.83.050; and/or,

((c)) Is terminated if the license applicant fails to appear for a scheduled written or oral examination, unless the applicant notifies the board in advance of the inability to appear)) it is issued.

NEW SECTION

WAC 246-924-495 Qualifications for granting a license. Candidates applying for initial licensure under RCW 18.83.170 must meet the following requirements:

(1) Submit a completed application form provided by the department.

(2) Pay the application and examination fees described in WAC 246-924-990.

(3) Provide evidence of completing a doctoral degree program described in WAC 246-924-046.

(4) Provide evidence of completing the practicum requirement set forth in WAC 246-924-049.

(5) Provide evidence of completing the internship experience requirement as defined in WAC 246-924-056.

(6) Provide evidence of completion of supervised experience requirement as defined in WAC 246-924-053 and 246-924-059.

(7) Pass the national Examination of Professional Practice of Psychology (EPPP) described in WAC 246-924-070.

(8) Pass the jurisprudence examination in WAC 246-924-070.

WSR 08-03-129

PROPOSED RULES

OFFICE OF

INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. 2006-11—Filed January 23, 2008, 8:04 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 06-21-124.

Title of Rule and Other Identifying Information: Standards for rotational referrals to independent review organizations and submission of reports of referrals and the results of reviews to the office of insurance commissioner (OIC).

Hearing Location(s): Insurance Commissioner's Office, 5000 Capitol Boulevard, Room TR-120, Tumwater, WA 98504-0255, on February 26, 2008, at 9:00 a.m.

Date of Intended Adoption: March 10, 2008.

Submit Written Comments to: Kacy Scott, P.O. Box 40258, Olympia, WA 98504-0258, e-mail Kacys@oic.wa.gov, fax (360) 586-3109, by February 25, 2008.

Assistance for Persons with Disabilities: Contact Lorie Villaflorres by February 25, 2008, TTY (360) 586-0241 or (360) 725-7087.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Codification of current OIC procedures related to rotational referrals to independent review organizations (IROs) and requirements for submission of reports of referrals and the results of reviews are necessary to ensure that proper procedures are followed and reports submitted to the OIC are consistent.

Reasons Supporting Proposal: The rules will codify the IRO rotational processes and procedures used by OIC and will require that carriers submit information about the resolution of the review to the OIC.

Repealing rules that duplicate law will mean that those affected by the IRO requirements will not have to consult both law and rule for the same requirements.

Statutory Authority for Adoption: RCW 48.02.060 and 48.43.535(10).

Statute Being Implemented: RCW 48.43.535(10).

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Mike Kreidler, insurance commissioner, governmental.

Name of Agency Personnel Responsible for Drafting: Melodie Bankers, P.O. Box 40258, Olympia, WA 98504-0258, (360) 725-7039; Implementation: Beth Berendt, P.O. Box 40255, Olympia, WA 98504-0255, (360) 725-7117; and Enforcement: Carol Sureau, P.O. Box 40255, Olympia, WA 98504-0255, (360) 725-7050.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The adoption of these proposed amendments would create no adverse economic impact on carriers large or small; therefore, no cost benefits analysis is necessary.

A cost-benefit analysis is not required under RCW 34.05.328. The purpose of these proposed amendments is to clarify the way carriers must use the rotational registry of independent review organizations and how and when they report those assignments to the OIC staff. There will be no economic impact on small or large carriers because the proposed rule merely clarifies existing regulatory requirements. The proposed amendments will benefit both carriers and OIC staff without actually changing any requirements.

January 23, 2008

Mike Kreidler
Insurance Commissioner

AMENDATORY SECTION (Amending Matter No. R 2000-02, filed 1/9/01, effective 7/1/01)

WAC 284-43-630 Independent review of adverse determinations. ((1) A covered person may seek review by a certified independent review organization of an adverse decision after exhausting the carrier's grievance process and receiving a decision that is unfavorable to the covered person, or after the carrier has exceeded the timelines for grievances provided in this chapter, without good cause and without reaching a decision. Upon prior written approval of the carrier's process by the commissioner, a carrier may establish a process to bypass the carrier's internal grievance process and allow for the direct appeal to a certified independent review organization for certain classes of adverse determinations.)

(2) Carriers must provide to the appropriate independent review organization certified by the department of health and designated by the commissioner's rotational registry, not later than the third business day after the date the carrier receives a request for review, a copy of:

(a) Any medical records of the covered person that are relevant to the review;

(b) Any documents used by the carrier in making the determination to be reviewed by the certified independent review organization, including relevant clinical review criteria used by the carrier and other relevant medical, scientific, and cost-effectiveness evidence;

(c) Any documentation and written information submitted to the carrier in support of the appeal;

(d) A list of each physician or health care provider who has provided care to the covered person and who may have medical records relevant to the appeal. Health information or other confidential or proprietary information in the custody of a carrier may be provided to an independent review organization, subject to the privacy provisions of Title 284 WAC;

(e) The attending or ordering provider's recommendations; and

(f) The terms and conditions of coverage under the relevant health plan.

The carrier shall also make available to the covered person and to any provider acting on behalf of the covered person all materials provided to an independent review organization reviewing the carrier's determination. The carrier may also require the covered person and any provider acting on behalf of a covered person to make available to the carrier information provided to an independent review organization in support of an appeal.

((3) The medical reviewers from a certified independent review organization shall make determinations regarding the medical necessity or appropriateness of, and the application of health plan coverage provisions to, health care services for a covered person. The medical reviewers' determinations must be based upon their expert medical judgment, after consideration of relevant medical, scientific, and cost-effectiveness evidence, and medical standards of practice in the state of Washington. Except as provided in this subsection, the certified independent review organization must ensure that determinations are consistent with the scope of covered benefits as outlined in the medical coverage agreement. Medical reviewers may override the health plan's medical necessity or appropriateness standards if the standards are determined upon review to be unreasonable or inconsistent with sound, evidence-based medical practice.)

((4) Once a request for an independent review determination has been made, the independent review organization must proceed to a final determination, unless requested otherwise by both the carrier and the covered person or covered person's representative.)

((5) Carriers must implement the certified independent review organization's determination promptly, and must pay the certified independent review organization's charges.) Carriers must use the rotational registry system of certified independent review organizations (IRO) established by the commissioner and the department of health.)

(1) Carriers must select reviewing IROs in the rotational manner described in the rotational registry system. A carrier may not make an assignment to an IRO out of sequence for any reason other than the existence of a conflict of interest, as set forth in WAC 246-305-030.

(2) The rotational registry system, a current list of certified IROs, IRO assignment instructions, and an IRO assignment form to be used by carriers are set forth on the insurance commissioner's web site (www.insurance.wa.gov).

(3) In addition to the requirements set forth in RCW 48.43.535(4), carriers must:

(a) Make available to the covered person and to any provider acting on behalf of the covered person all materials provided to an independent review organization reviewing the carrier's determination; and

(b) Provide IROs with:

(i) All relevant clinical review criteria used by the carrier and other relevant medical, scientific, and cost-effectiveness evidence;

(ii) The attending or ordering provider's recommendations; and

(iii) A copy of the terms and conditions of coverage under the relevant health plan.

(4) Carriers must report to the commissioner each assignment made to an IRO not later than three business days after an assignment is made. Information regarding the enrollee's personal health should not be provided with the report.

(5) The requirements of this section are in addition to the requirements set forth in RCW 48.43.535 and 43.70.235, and rules adopted by the department of health in chapter 246-305 WAC.

WSR 08-03-131
PROPOSED RULES
HORSE RACING COMMISSION

[Filed January 23, 2008, 8:35 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 07-24-090.

Title of Rule and Other Identifying Information: WAC 260-44-020 Minimum weights ((for age)).

Hearing Location(s): Auburn City Council Chambers, 25 West Main, Auburn, WA 98002, on March 13, 2008, at 9:30 a.m.

Date of Intended Adoption: March 13, 2008.

Submit Written Comments to: Robert J. Lopez, 6326 Martin Way, Suite 209, Olympia, WA 98516-5578, e-mail rlopez@whrc.state.wa.us, fax (360) 459-6461 by March 7, 2008.

Assistance for Persons with Disabilities: Contact Patty Sorby by March 7, 2008, TTY (360) 459-6462.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of amending WAC 260-44-020 is to eliminate the old unused table of weights and to also clarify the current language in this rule that weights for age are optional on the part of the trainer, not mandatory.

Reasons Supporting Proposal: Clarifies this rule and eliminates unused language.

Statutory Authority for Adoption: RCW 67.16.020.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Washington horse racing commission, governmental.

Name of Agency Personnel Responsible for Drafting: Robert J. Lopez, 6326 Martin Way, Suite 209, Olympia, WA 98516-5578, (360) 459-6462; Implementation and Enforcement: Robert M. Leichner, 6326 Martin Way, Suite 209, Olympia, WA 98516-5578, (360) 459-6462.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not applicable.

A cost-benefit analysis is not required under RCW 34.05.328. Not applicable.

January 23, 2008

R. J. Lopez

Deputy Secretary

AMENDATORY SECTION (Amending WSR 07-07-035, filed 3/12/07, effective 4/12/07)

WAC 260-44-020 Minimum weights ((for age)). ((The following weights will be carried when weights are not a condition of the race:

SCALE OF WEIGHTS FOR AGE

Distance	Age	June	July	Aug.	Sept.
Half Mile	2 years	105	108		
	3 years	123	125	126	127
	4 years	130	130	130	
	5 & up	130	130	130	

SCALE OF WEIGHTS FOR AGE

Distance	Age	June	July	Aug.	Sept.
Six Furlongs	2 years	102	105		
	3 years	121	123	125	126
	4 years	130	130	130	130
	5 & up	130	130	130	130
One Mile	2 years	102	105		96
	3 years	115	117	119	121
	4 years	126	126	126	126
	5 & up	126	126	126	126
One Mile &	2 years	102	105		
a Quarter	3 years	113	116	118	120
	4 years	126	126	126	126
	5 & up	126	126	126	126
One & a	2 years	102	105		
Half Miles	3 years	111	114	117	119
	4 years	126	126	126	126
	5 & up	126	126	126	126
Two Miles	3 years	109	112	114	117
	4 years	126	126	125	125
	5 & up	126	126	125	125

((1) In races of intermediate lengths not specified above, the weights for the shorter distance are carried.)) (1) In all overnight races, except handicaps, the minimum weight, subject to sex and apprentice allowances, will be 111 pounds for two- and three-year-old thoroughbreds, 115 pounds for four-year-old and older thoroughbreds. For all other breeds, 116 pounds for two- and three-year-olds, 120 pounds for four-year-old and older.

(2) In all races, except handicap races and races where the conditions expressly state ((to the contrary)) otherwise, the individual authorized to enter a horse may declare the following weight allowances: Two-year-old fillies ((are allowed)) 3 lbs., and three-year-old and older fillies and mares ((are allowed)) 5 lbs., before the 1st of September, and 3 lbs., thereafter.

(3) The racing secretary will establish the maximum weight for age in all races in the condition book. Weight allowances are optional and must be declared at time of entry.

WSR 08-03-132
PROPOSED RULES
HORSE RACING COMMISSION

[Filed January 23, 2008, 8:36 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 06-05-023.

Title of Rule and Other Identifying Information: Title 260 WAC to expand the role and authority of the executive secretary.

Hearing Location(s): Auburn City Council Chambers, 25 West Main, Auburn, WA 98002, on March 13, 2008, at 9:30 a.m.

Date of Intended Adoption: March 13, 2008.

Submit Written Comments to: Robert J. Lopez, 6326 Martin Way, Suite 209, Olympia, WA 98516-5578, e-mail rlopez@whrc.state.wa.us, fax (360) 459-6461, by March 7, 2008.

Assistance for Persons with Disabilities: Contact Patty Sorby by March 7, 2008, TTY (360) 459-6462.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: To amend the following sections in Title 260 WAC to expand the role and authority of the executive secretary: WAC 260-08-595 Role of the ((commission and the)) executive secretary, 260-08-675 Hearing before the commission, 260-20-005 General duties of a racing association, 260-34-030 Testing, 260-49-100 Enforcement and penalties, 260-75-020 Satellite locations applications, and 260-75-040 Enforcement and penalties.

Reasons Supporting Proposal: Expand certain aspects of the authority of the executive secretary to take action without the prior consent of the commission. These amendments still allow any person to challenge a decision of the executive secretary by requesting a hearing before the commission.

Statutory Authority for Adoption: RCW 67.16.020.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Washington horse racing commission, governmental.

Name of Agency Personnel Responsible for Drafting: Robert J. Lopez, 6326 Martin Way, Suite 209, Olympia, WA 98516-5578, (360) 459-6462; Implementation and Enforcement: Robert M. Leichner, 6326 Martin Way, Suite 209, Olympia, WA 98516-5578, (360) 459-6462.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not applicable.

A cost-benefit analysis is not required under RCW 34.05.328. Not applicable.

January 22, 2008

R. J. Lopez
Deputy Secretary

AMENDATORY SECTION (Amending WSR 03-03-041, filed 1/10/03, effective 2/10/03)

WAC 260-08-595 Role of the ((commission and the)) executive secretary. The horse racing commission ((shall)) will appoint an executive secretary who ((shall)) will act as the chief operating officer for the agency. As chief operating officer, the executive secretary ((shall be responsible for the implementation of)) will supervise and administer the activities of the commission staff. In addition, the executive secretary will:

(1) Implement the policies and ((to)) procedures, and enforce the rules of the commission.

((He/she shall also be responsible to carry out)) (2) Oversee the administrative details and ((the)) day-to-day operation of the agency, ((to include)) including the achievement of

performance goals and objectives established by the commission and ((to administrate)) administer the agency's budget.

((The executive secretary shall also)) (3) Act as the appointing authority for agency staff, ((and as such has)) including the authority ((and responsibility)) to hire, promote, assign work, determine duty stations, evaluate, take corrective action, and, where appropriate terminate staff.

((The executive secretary shall also be responsible to)) (4) Make an initial agency determination of a violation of the rules in this title except during live racing where the rule provides that the board of stewards makes the initial agency determination. In the absence of the board of stewards, the executive secretary has the authority to make an initial agency determination.

(a) If an applicant or licensee disagrees with the decision of the executive secretary, he or she may challenge the decision by requesting a hearing before the commission as provided in WAC 260-08-675.

(b) The executive secretary may refer any matter directly to the commission for hearing on violations of chapters 67.16 and 67.17 RCW or of rules in this title or to enforce compliance with a penalty.

(5) Enter into contracts and agreements((;)) on behalf of the commission; and ((to))

(6) Exercise such other management oversight, decision-making and administrative action ((that are)) necessary to achieve agency mission and goals.

AMENDATORY SECTION (Amending WSR 05-05-049, filed 2/14/05, effective 3/17/05)

WAC 260-08-675 Hearing before the commission.

Any person against whom a ruling is made by the stewards or the executive secretary may request a hearing before the commission to challenge the ruling. However, a decision by the stewards concerning the disqualification or nondisqualification of a horse due to a foul or riding infraction during the running of a race is final and will not be reviewed by the commission.

(1) Requests for a hearing before the commission must be filed with an office of the commission within seven days of service of the stewards' or executive secretary's ruling.

(2) The request must include: The name, address, telephone number and the signature of the person making the request and a statement of the basis for the challenge to the ruling.

(3) The commission will conduct an adjudicative proceeding according to the provisions of chapter 34.05 RCW, Administrative Procedure Act, and chapter 260-08 WAC, Practice and procedure.

(4) ((On notification by the commission that a request for a hearing has been filed, the stewards shall forward to the commission the record of the ruling conference.))

((5))) Any person requesting a hearing before the commission will be heard in person or by counsel. A person appearing before the commission may submit his or her case entirely in writing, provided this is specified at the time of the filing of the request for hearing with the commission and this procedure is given written approval by the commission.

((6)) (5) All communications to the commission with respect to a stewards' or executive secretary's ruling must be in writing, and all papers filed with the commission shall be the property of the commission.

AMENDATORY SECTION (Amending WSR 07-11-115, filed 5/18/07, effective 6/18/07)

WAC 260-20-005 General duty of a racing association. A racing association, its officers, directors, officials and employees will abide by and enforce the rules of racing and the orders of the commission and decisions of the executive secretary and stewards. A racing association may request an exemption from a requirement in this chapter to utilize new technology or innovative construction in the design of the racetrack facilities. The commission may grant an exemption if the commission determines that the racing association's proposal substantially satisfies the purpose of the requirement, and the exemption is in the best interests of horse racing.

AMENDATORY SECTION (Amending WSR 07-03-064, filed 1/16/07, effective 2/16/07)

WAC 260-34-030 Testing. (1) A steward of the horse racing commission, a commission security investigator or the ((commission, acting through the)) executive secretary, may require any licensee or applicant to provide breath blood and/or urine samples for the purpose of drug or alcohol analysis under any of the following circumstances:

(a) When a steward or commission security investigator finds that there is reasonable suspicion to believe that the applicant or licensee has used or is under the influence of alcohol and/or any drug.

(b) When an applicant or licensee has a documented history of an unexplained positive test which indicates illegal drug usage or has a documented history of violating chapter 69.41, 69.45 or 69.50 RCW, WAC 260-34-020 or similar drug-related violation within five years of conviction or release from a correctional institution for that violation. The term "correctional institution" shall include any prison, jail or similar institution in this state or elsewhere.

(c) When a steward or commission security investigator decides to test any licensee or applicant as a condition of any conditional or probationary license.

(d) When any person is riding a horse on the grounds of a licensed racing association.

(2) For licensees or applicants who are subject to a field screening urine test under the provisions in this chapter, and whose test shows the presence of a controlled substance or alcohol, the field screening test results shall be confirmed by a laboratory acceptable to the commission.

(3) The result of a test conducted with a preliminary breath test (PBT) instrument approved by the state toxicologist in chapter 448-15 WAC or other breath test equipment approved under chapter 448-16 WAC shall constitute evidence of a violation of these rules. The results of such a test may be considered for purposes of determining whether the licensee or applicant has consumed alcohol, the level of alcohol concentration, and whether the licensee or applicant has

violated a prohibition on the use or consumption of alcohol established in a conditional license.

AMENDATORY SECTION (Amending WSR 04-21-053, filed 10/18/04, effective 11/18/04)

WAC 260-49-100 Enforcement and penalties.

(1) Any violations of this chapter ((shall)) will be referred to the ((commission)) executive secretary. The ((commission shall have)) executive secretary has sole authority to ensure compliance with these rules, ((conduct hearings)) make initial agency determination on violations, and determine penalties for violations.

(2) The ((commission)) executive secretary may suspend or revoke a license issued to an advance deposit wagering service provider, withdraw approval of a contract between a class 1 racing association and an advance deposit wagering service provider and/or impose fines, if the licensee:

(a) Violates any of the requirements of chapter 67.16 RCW or these rules;

(b) Fails to provide a bond or letter of credit or evidence thereof in another jurisdiction to the satisfaction of the commission;

(c) Fails to make payments in a timely manner as required by these rules;

(d) Fails to comply with any conditions on the license imposed by the commission;

(e) Has demonstrated willful disregard for complying with ordinances, statutes, administrative rules, or court orders, whether at the local, state, or federal level. This includes, but is not limited to, failure to make required payments to other state regulatory agencies;

(f) Poses a threat to the effective regulation of wagering or creates or increases the likelihood of unfair or illegal practices, methods, and activities in the conduct of wagering activities, as demonstrated through the prior activities, criminal record, reputation, habits, or associations;

(g) Fails to provide at the office of the commission any information required under the commission's rules within the time required therefore by applicable rule, or if no maximum time has been established respecting the particular kind of information by other rule, then within thirty days after receiving a written request therefore from the commission or its staff;

(h) Commits, or has committed, any other act that the ((commission)) executive secretary determines constitutes a sufficient reason in the public interest for denying, suspending, or revoking licenses or approval of agreements.

(3) The ((commission shall)) executive secretary will afford a licensee the opportunity for ((an adjudicative proceeding)) a conference prior to denial, suspending or revoking a license or imposing fines, and shall provide a class 1 racing association and/or an authorized advance deposit wagering service provider a ((hearing)) conference on refusal of approval or withdrawal of approval of the agreement between the association and the service provider.

(4) The ((commission shall have)) executive secretary has authority to ensure compliance with these regulations, including, but not limited to, injunctive relief and the imposi-

tion of fines, suspensions and revocation of license and repayment of outstanding source market fees.

(5) If the executive secretary imposes a fine, suspension, or revocation of license, the applicant or licensee will be provided an opportunity for a hearing before the commission.

AMENDATORY SECTION (Amending WSR 04-19-045, filed 9/13/04, effective 10/14/04)

WAC 260-75-020 Satellite locations applications.

Each application for a satellite location from a class 1 racing association ((shall)) must be submitted on the satellite application form ((provided by the commission)). The application form must be completed in every respect, containing all the information and attachments requested. The application includes an association satellite application, satellite location application and a satellite location application—personal history statement.

(1) The association satellite application is to be completed by the sponsoring association.

(2) The satellite location application is to be completed by the proposed satellite location. The application ((shall)) will be signed under oath by an individual attesting that the information set forth in the application and any accompanying materials is true, accurate and complete. The following person(s) ((shall)) must sign the application:

(a) The highest ranking officer/official of a charitable, nonprofit or profit seeking corporation;

(b) The principal owner of a sole proprietorship;

(c) All partners of a partnership or general partner of a limited partnership; and

(d) The executive secretary may also require the following persons to sign the application:

(i) The chairman of the board of directors or trustees;

(ii) The person in charge of financial records; and/or

(iii) Persons with a substantial interest in the applicant business or charitable/nonprofit organization.

(3) The satellite location application—personal history statement is to be completed by each individual owner and spouse or each officer of a charitable, nonprofit or profit seeking corporation and any stockholder having ten percent or more corporate stock.

(4) The commission will consider only those applications that have been fully completed. The following reasons will cause an application to be incomplete:

(a) Failure to provide all information requested on the application form and/or attachments;

(b) Failure to provide supplemental information requested during the application investigation.

(5) The commission may disclose to the public or discuss at a public meeting all information set forth in the application and all supplemental information submitted subject to the exemptions in chapter ((42.17)) 42.56 RCW and other applicable laws including, but not limited to, chapter 10.97 RCW: Provided, That consistent with chapter 10.97 RCW, the commission may disclose conviction data of an applicant or licensee.

(6) In addition to other information required by the ((commission)) executive secretary, each applicant ((shall))

will provide the following information on or attached to the application:

(a) Copy of corporate applicants' articles of incorporation and bylaws; or, if not a corporation, a copy of any bylaws and other documents which set out the organizational structure and purposes of the organization;

(b) A copy of a nonprofit or charitable applicant's Internal Revenue Service tax exemption letter if one has been obtained;

(c) Details and copies of all lease or rental arrangements, whether oral or written, between the applicant and the owner of premises upon which the satellite activity will be conducted, if such premises are leased or rented.

(7) Before each race meet((, on a form approved by the commission)), the association ((shall)) will submit a list of all satellite locations in their renewal application ((for each satellite location)).

(8) An association ((shall)) will immediately inform the ((commission immediately)) executive secretary if ((any changes are made to the original application)) ownership or management information provided in the original or renewal application changes.

AMENDATORY SECTION (Amending WSR 05-05-042, filed 2/14/05, effective 3/17/05)

WAC 260-75-040 Enforcement and penalties. (1)

Any violations of this chapter ((shall)) will be referred to the ((commission)) executive secretary. The ((commission shall have)) executive secretary has sole authority to ensure compliance with these rules, conduct hearings on violations, and determine penalties for violations.

(2) The approval to operate a satellite location and/or the license of location managers and mutuel clerks may be suspended or revoked and/or fines may be imposed, if the ((commission)) executive secretary finds violations of any of the requirements of chapter 67.16 RCW or Title 260 WAC or failure to comply with any conditions on the operation of the satellite location imposed by the commission.

(3) ((The commission shall provide an opportunity for an adjudicative proceeding prior to denial, suspension or revocation of approval of a satellite location or of a license, or the imposition of fines, and shall provide a class 1 racing association a hearing on refusal of approval or withdrawal of approval of the agreement between the association and the satellite location.)) If the executive secretary denies, suspends or revokes approval of a satellite location or of a license, or imposes a fine, the applicant or licensee will be provided an opportunity for a hearing before the commission. If the executive secretary makes a determination that an agreement between the association and the satellite location should not be approved, or previous approval withdrawn, the class 1 racing association will be entitled to request a hearing before the commission.

WSR 08-03-135
PROPOSED RULES
WASHINGTON STATE UNIVERSITY

[Filed January 23, 2008, 9:14 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 07-09-008.

Title of Rule and Other Identifying Information: Amendment of chapter 504-14 WAC, Campus traffic and parking regulations for Washington State University Spokane.

Hearing Location(s): Washington State University, Phase 1 Building, Room 131, Spokane, Washington, on February 27, 2008, at 12:30 p.m.

Date of Intended Adoption: March 21, 2008.

Submit Written Comments to: Ralph T. Jenks, Director and University Rules Coordinator, Office of Procedures, Records, and Forms, P.O. Box 641225, Pullman, WA 99164-1225, e-mail Jenks@wsu.edu, fax (509) 335-3969, by February 28, 2008.

Assistance for Persons with Disabilities: Contact Linda Nelson by February 22, 2008, (509) 335-3928.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: To update and clarify the campus traffic and parking regulations.

Reasons Supporting Proposal: Amendments are necessary to update and clarify regulations.

Statutory Authority for Adoption: RCW 28B.30.150.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Washington State University, public.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jon Schad, Director, Facilities Operations, WSU Spokane, (509) 358-7991.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The rule has no impact on small business.

A cost-benefit analysis is not required under RCW 34.05.328. The university does not consider this rule to be a significant legislative rule.

January 23, 2008

Ralph T. Jenks, Director
 Procedures, Records, and Forms and
 University Rules Coordinator

Chapter 504-14 WAC

**CAMPUS ((TRAFFIC)) PARKING AND ((PARKING))
 TRAFFIC REGULATIONS FOR WASHINGTON
 STATE UNIVERSITY SPOKANE**

AMENDATORY SECTION (Amending WSR 01-18-015, filed 8/24/01, effective 9/24/01)

WAC 504-14-010 Authorization. Pursuant to the authority granted by RCW 28B.30.150, 28B.10.560, and chapter 34.05 RCW, the board of regents of ((Washington State)) the university ((establishes the following regulations))

adopts this chapter to govern parking and traffic at Washington State University Spokane, hereinafter referred to as ((WSU Spokane)) WSUS.

AMENDATORY SECTION (Amending WSR 01-18-015, filed 8/24/01, effective 9/24/01)

WAC 504-14-020 Purposes of regulations. (1) The purposes of these regulations are to:

((+)) (a) Expedite university business and provide maximum safety, order, and ((conveniencene)) access;

((-)) (b) Regulate parking, with priority given to:

((+)) (i) Services of the campus(());

((+)) (ii) Persons who ((need)) require the use of vehicles in connection with their on-campus work(()); and

((+)) (iii) Staff and students who ((need)) require the use of private vehicles because of a disability or other approved reason;

((-)) (c) Provide and maintain suitable campus parking and ((traffic facilities)) transportation systems; and

((-)) (d) Provide incentive for participation in the commute trip reduction program.

(2) The chancellor or designee whose responsibilities include supervision of the parking department shall have the authority to designate particular locations as parking, temporary parking, restricted parking, or prohibited parking, as well as the authority to designate permanent and temporary areas as being closed to vehicular traffic.

AMENDATORY SECTION (Amending WSR 01-18-015, filed 8/24/01, effective 9/24/01)

WAC 504-14-030 Knowledge of parking regulations.

It is the responsibility of all individuals parking on the campus to read and fully understand these regulations. Lack of knowledge of these regulations ((will)) is not ((be accepted)) acceptable as grounds for dismissal of ((citations)) parking tickets.

AMENDATORY SECTION (Amending WSR 01-18-015, filed 8/24/01, effective 9/24/01)

WAC 504-14-040 Applicable parking and traffic laws and regulations. The following laws and regulations apply upon ((state)) lands owned and/or controlled by the WSUS ((Spokane)) campus:

(1) The motor vehicle and other traffic laws ((and regulations)) of the state of Washington (Revised Code of Washington); and

(2) ((The WSU Spokane parking and traffic regulations;

(3) The motor vehicle and other traffic laws and regulations of the City of Spokane.)) Chapter 504-14 of the Washington Administrative Code.

AMENDATORY SECTION (Amending WSR 01-18-015, filed 8/24/01, effective 9/24/01)

WAC 504-14-050 Emergencies. The ((president delegates to the WSU Spokane campus dean)) chancellor or designee of the university shall have the authority to suspend, modify, or repeal any or all provisions ((for an authorized

~~campus special event or)) in this chapter~~ in the event of an emergency, disaster, or other like contingency. Such action shall be limited in duration and scope ~~((to meet the institutional needs and/or address the dangers of the contingency)) based on the emergency.~~

AMENDATORY SECTION (Amending WSR 01-18-015, filed 8/24/01, effective 9/24/01)

WAC 504-14-100 Definitions. The definitions in this section are applicable within the context of ~~((these regulations)) this chapter.~~

(1) **Campus.** Describes all property owned, leased, and/or controlled by ~~the WSUS ((Spokane)) campus~~ which is or may hereafter be dedicated mainly to the educational, research, ~~housing~~, recreational, parking, or other activities of ~~((WSU Spokane)) the university~~.

(2) **Day.** Unless otherwise specified, the term "day" refers to a calendar day.

(3) **Disability parking.** See persons with disability.

(4) **Disability zone.** A parking zone ~~designated for exclusive use by persons with disability and identified with a sign bearing the associated international ((disability)) symbol ((that is restricted at all times to use by vehicles bearing a valid WSU disability parking permit or indicator, or any state issued disability parking permit)).~~

~~((3))) (5) **Fire zone.** An area needed for emergency access to buildings, fire hydrants, or fire equipment. Such areas include, but are not limited to, areas with adjacent curbs or rails painted red.~~

~~((6)) (6) **Holiday ((WSU Spokane holiday)).** A day when all campus facilities are generally closed (e.g., Thanksgiving Day, Christmas Day, New Year's Day). Vacation days are not considered holidays. See definition of vacation)). See university holiday.~~

~~((4))) (7) **Illegal use of permit.** A parking violation in which a ~~((citation)) parking ticket~~ is issued under the following circumstances:~~

~~(a) Use of a parking permit~~((7)) or indicator~~ on ~~((an unspecified)) a vehicle other than the specified vehicle identified by a license plate number on the permit.~~~~

~~(b) Use of a counterfeit parking permit~~((7)) or indicator.~~~~

~~(c) Use of a parking permit~~((7)) or indicator obtained under false pretenses.~~~~

~~(d) Use of a modified parking permit~~((7)) or indicator.~~~~

~~(e) Use and/or retention of a parking permit~~((7)) or indicator~~ by person(s) ineligible, or no longer eligible, for such permit as described and authorized in this chapter.~~

~~((5))) (8) **Impound.** To take and hold a vehicle in legal custody by use of a wheel lock and/or towing.~~

~~((9)) (9) **Indicator.** A ~~((vinyl, plastic, or paper instrument)) decal or hanger~~ displayed adjacent to a parking permit which ~~((more clearly)) defines ((the)) additional parking areas available to a permit holder.~~~~

~~((6))) (10) **Loading zone.** A loading dock, or an area signed "loading zone" adjacent to a facility or in a parking area. Such an area is intended for loading and unloading bulky or voluminous material. Loading zones are restricted at all times unless signed otherwise.~~

~~((7))) (11) **Moped.** Any two-wheeled or three-wheeled motor vehicle with an engine displacement of ~~((50-ee)) 50cc or less.~~~~

~~((8))) (12) **Motorcycle.** Any two-wheeled or three-wheeled motor vehicle with an engine displacement greater than ~~((50-ee)) 50cc.~~~~

~~((9))) (13) **Motor vehicle.** All motor-driven conveyances except wheelchairs. Also referred to as "vehicle" in this chapter.~~

~~((10))) (14) **No parking zone.** Any area not specifically marked and/or signed for parking. Such areas include, but are not limited to, areas with adjacent curbs or rails painted yellow ~~((or red)).~~~~

~~((11))) (15) **Officer.** Any parking or campus security official employed by the university who is designated by the parking administrator or chancellor to place and remove wheel locks or to cause vehicles to be towed under this chapter.~~

~~((16)) (16) **Owner.** The person registered with any state as the present owner of a vehicle in the most current registration records available to the university, the owner's expressed representative, or any transferee not designated in such records, provided that the parking administrator has received actual written notice of the transfer.~~

~~((17)) (17) **Park/parking.** This refers to the placement or standing of a vehicle, with or without a driver in attendance, and with or without the engine running.~~

~~((12))) (18) **Parking administrator.** The manager in charge of the parking department or designee.~~

~~((19)) (19) **Parking appeals committee.** Any person or persons appointed to consider parking violations and the application of fees, fines, and sanctions. Said person or persons are appointed by the vice-chancellor whose responsibilities include supervision of the parking department or designee.~~

~~((20)) (20) **Parking department.** The university department which is charged with the responsibility of managing, operating, planning, and maintaining parking facilities; enforcing the parking regulations; and coordinating commute trip reduction efforts for the WSUS campus.~~

~~((21)) (21) **Parking meter.** A single fixed device that typically requires payment and limits the amount of time a vehicle can park in a single space. Also referred to as "meter" in this chapter. A parking meter is not a parking payment device.~~

~~((22)) (22) **Parking payment device.** A machine that requires payment and vends a parking permit and/or a paid receipt. Parking payment devices may be located in various places on the campus. A parking payment device is not a parking meter.~~

~~((23)) (23) **Parking permit.** A vinyl, plastic, ~~((or)) paper, or other instrument~~ sanctioned by ~~((WSU Spokane)) the parking department~~ that is displayed from a vehicle and authorizes parking in specified areas. Also referred to as "permit" in this chapter.~~

~~((13)) (24) **Public safety.** Includes but is not limited to WSU Spokane public safety and others designated as parking enforcement.~~

~~((4))) (24) **Parking ticket.** The first notice of a parking violation which is usually placed in a visible location on a motor vehicle.~~

(25) Pedestrian mall. A space that is designed primarily for pedestrian use, but with limited authorized use of motor vehicle and other motorized and nonmotorized conveyances.

(26) Persons with disability. For the purpose of this chapter persons with disability shall refer to a person or persons with disability or disabilities who qualify for a state-issued persons with disability parking identification and permit.

(27) Service vehicle. A vehicle used to provide a service for WSUS ((Spokane)) or a tenant or contractor of WSUS ((Spokane)) (e.g., a university-owned vehicle or a privately owned vehicle with a valid service ((permit)) vehicle authorization displayed).

((15)) (28) Service zone. Parking spaces or area designated for the use of ((university)) service vehicles, other government-owned vehicles, and vehicles displaying a service indicator or commercial permit. Authorized vehicles may park in these zones on an occasional basis for a maximum of fifteen minutes, except for vehicles that display a service indicator issued for an extended time. Service zones are restricted at all times unless signed otherwise.

((16)) (29) Staff. For the purposes of these regulations, "staff" includes all ((faculty, classified staff, administrative and professional employees, temporary employees, and other support personnel employed by the university, and the personnel of other activities located)) nonstudent employees of the university and the nonstudent employees of other entities located on, or regularly doing business on campus. Teaching assistants, research assistants, and other students employed by the university, or other entities located on, or regularly doing business on campus, are not "staff." They are considered ((as)) to be students for the purpose of these rules.

((17)) (30) Standing. "Standing" is the stopping of a vehicle with the driver remaining in it.

(31) Storage of a vehicle. Impounded vehicles are held in storage until released. During such time they are subject to storage fees.

(32) Student. ((Any person who has been admitted to WSU or to another affiliated academic institution, and who is either attending classes or actively pursuing a degree or certificate.)) The term student includes all persons who are not staff who are taking courses at the university, enrolled full-time or part-time, pursuing undergraduate, graduate, professional studies, or auditing one or more class.

((18)) (33) Summer session. The summer session includes all summer ((school)) sessions beginning on the first day of the earliest session, and ending on the last day of the latest session.

((19)) (34) University. Refers to Washington State University Spokane.

(35) University holiday. A day regarded by the university as an official university holiday.

(36) Unpaid. A full or partial outstanding balance due. This definition includes parking tickets which are pending appeal.

(37) Vacation. A period of time when classes or final exams are not in session. Except for holidays that fall within this period, the business offices of WSUS ((Spokane)) typically are open during this time.

((20) Vehicle. See motor vehicle.

((21))) (38) Visitors. Persons who are not staff or students and who only visit the campus on an occasional basis.

((22)) (39) Wheel lock. A device used to temporarily immobilize a motor vehicle ((i.e., on the spot impoundment)). Wheel locked vehicles are considered to be impounded in place and subject to storage fees.

(40) Wheel lock-eligible list. The current list of wheel lock-eligible vehicles as maintained by the parking department. A vehicle remains on the wheel lock-eligible list until all fines and fees related to parking tickets are paid in full or otherwise resolved to include the payment of fines and fees related to parking tickets not yet eligible for late fees.

(41) Wheel lock-eligible vehicle. Any vehicle on which three or more parking tickets more than thirty days old are unpaid and which parking tickets were issued during the time the vehicle was registered to or otherwise held by the owner. The vehicle remains wheel lock-eligible until all fines and fees related to parking tickets are paid in full or otherwise resolved to include the payment of fines and fees related to parking tickets not yet eligible for late fees.

AMENDATORY SECTION (Amending WSR 01-18-015, filed 8/24/01, effective 9/24/01)

WAC 504-14-200 Enforcement authority. ((WSU Spokane public safety is)) The parking department and the public safety officers are charged with the impartial enforcement of these regulations. ((Enforcement personnel)) Officers of these departments have authority to issue parking ((citations)) tickets, to impound vehicles, and to control access to areas.

AMENDATORY SECTION (Amending WSR 01-18-015, filed 8/24/01, effective 9/24/01)

WAC 504-14-210 Times of enforcement. Parking regulations are subject to enforcement at all times.

(1) Parking permit areas((:)). All parking permit zones are limited to authorized permit holders ((during specific)) all hours. These hours are posted in each parking ((zone either)) area at the entrance ((to parking areas or along roadways where parking is marked. Restricted spaces are enforced at all times)).

(2) Restricted spaces((:)). These spaces are restricted for their designated purpose at all times (((twenty-four hours a day, seven days a week))) unless signed otherwise:

(a) Disability zones.

(b) Load/unload.

(c) Service.

(d) Reserved.

(e) Reserved (bagged) parking meters.

(f) Areas which are specially signed ((areas)) or physically set apart by barricades, traffic cones, tape, or other traffic devices.

(3) Parking metered spaces((:)). Parking meters are in effect during the times posted on each meter. During these times the meter must be paid the posted amount. Additional time cannot be purchased beyond the meter's posted maximum time limit (e.g., a thirty-minute meter ((will)) allows a maximum of thirty minutes to be purchased at one time). A motor vehicle which is parked at an expired parking meter is

considered in violation initially, and after each period equal to the maximum time posted for the meter. In such case a parking ticket may be issued for each violation. For example, a vehicle parked at a meter with a two-hour maximum time limit for six hours and five minutes of CONTINUOUS unpaid parking at the same meter would be eligible for up to three parking tickets.

(4) Pay parking facilities. Some parking areas provide parking on an hourly basis. Hours of operation and a schedule of fees are posted at the facility entrance and at the point of payment. Parking tickets are issued to vehicles that are parked over the duration of time that was paid and for non-payment. Parking areas with parking meters are not considered pay parking facilities.

AMENDATORY SECTION (Amending WSR 01-18-015, filed 8/24/01, effective 9/24/01)

WAC 504-14-220 Signed and marked areas. (1) Parking on campus is ((allowed)) permitted only in the marked and/or signed spaces in ((areas and on streets)) parking facilities. All other areas outside these designated areas are "no parking zones." Each parking ((area)) facility has signs or markings to indicate the type of permit or ((permits)) payment required and the times they are required.

(2) Individual parking spaces are marked, and no vehicle may be parked so as to occupy any portion of more than one parking space. The fact that other vehicles were parked in a manner requiring a vehicle to occupy a portion of more than one space shall not constitute an excuse for a violation of this ((rule)) regulation.

(3) Should there be a conflict between these regulations, map designation, and on-site signs regarding parking instructions, the on-site sign takes precedence.

(4) Permit areas and restricted spaces are not always signed individually.

(5) Standing (the stopping of a vehicle with the driver remaining in it) is permitted in marked parking spaces, except metered spaces and restricted spaces, even though the vehicle does not have a valid parking permit. Double parking while "standing" is not permitted.

AMENDATORY SECTION (Amending WSR 01-18-015, filed 8/24/01, effective 9/24/01)

WAC 504-14-250 Motorcycles((;)) and mopeds((, and bicycles)). (1) The general traffic regulations applicable to motor vehicles apply ((equally)) to motorcycles((;)) and mopeds((, and bicycles)). Motorcycles or mopeds may not be driven on sidewalks or in ((the)) pedestrian mall areas. ((Bicycles may be used on sidewalks, though pedestrians always have the right of way.)) Owners of motorcycles and mopeds are responsible for all violations ((including violations)) issued ((even if said vehicle is moved by someone else after being legally parked)).

(2) ((Motoreyeles and mopedes: Motoreyeles and mopedes may park only in spaces which are marked by signs or the letter "M" painted on the parking surface. Motoreyeles and mopedes must display a valid WSU Spokane motoreyele permit during posted times. During all other times, these spaces are restricted to use by motoreyeles and mopedes

only.)) The university classifies mopeds and motorcycles by engine displacement (also referred to as engine size). This definition applies only to university property and does not replace or supersede the definitions established by the state of Washington for licensing purposes.

(3) Mopeds. Mopeds may park in any parking area with a valid parking permit or at any bicycle rack unless the rack is signed to exclude mopeds.

(4) Motorcycles. Motorcycles must display a valid university parking permit at all times.

AMENDATORY SECTION (Amending WSR 01-18-015, filed 8/24/01, effective 9/24/01)

WAC 504-14-300 Financial responsibility for ((citations)) parking tickets. (1) Each registered parking permit ((registrant)) holder shall be financially responsible for parking ((citations)) tickets on vehicles:

(a) Registered with ((WSU Spokane public safety,)) the parking department; and/or

(b) Displaying the ((registrant's)) registered parking permit holder's permit.

(2) Owners of vehicles ((will be)) are held ((primarily liable)) ultimately financially responsible for ((citations)) parking tickets issued to their vehicle.

AMENDATORY SECTION (Amending WSR 01-18-015, filed 8/24/01, effective 9/24/01)

WAC 504-14-350 Use of areas for emergency, maintenance, events, construction, or special needs. ((WSU Spokane)) WSUS reserves the right to close any campus parking area at any time it is deemed necessary for maintenance, safety, events, construction, or to meet special needs. ((WSU Spokane public safety will)) The parking department provides notice to users when possible.

Public safety and maintenance personnel performing official duties may deviate from these regulations as required to conduct emergency procedures.

AMENDATORY SECTION (Amending WSR 01-18-015, filed 8/24/01, effective 9/24/01)

WAC 504-14-410 Issuance ((and)), use, and term of parking permits. Parking permits are ((available at various locations)) issued by the parking department for available areas upon application and payment of the appropriate fees. The applicant may receive a parking permit and/or indicator which specifies parking area(s) where the vehicle may be parked ((will be issued)).

AMENDATORY SECTION (Amending WSR 01-18-015, filed 8/24/01, effective 9/24/01)

WAC 504-14-420 ((Consent to)) Withholding of fines and fees. All parking permit applications shall provide that the university may withhold unpaid fines and fees, when permitted by law, from any sums owed the permit holder and to treat the same as a debt.

AMENDATORY SECTION (Amending WSR 01-18-015, filed 8/24/01, effective 9/24/01)

WAC 504-14-440 ((Term of permit)) Transfer of parking permit. (~~Permits are valid up to and including the expiration date on the permit.~~)

The ownership of) A parking permit((s)) is generally not transferable, but exceptions can be made by ((WSU Spokane public safety provided that the)) parking operations as follows:

(1) A person relinquishing ownership and the eligible purchaser appear in person at ((WSU Spokane public safety)) the parking department when requesting such a transfer;

(2) The former owner relinquishes all ownership or claim to the permit and pays all outstanding fines; and

(3) The new owner completes a new application form for the permit.

((If a replacement permit is requested, the old permit must be removed and presented to WSU Spokane public safety to be eligible for a replacement or a refund.))

AMENDATORY SECTION (Amending WSR 01-18-015, filed 8/24/01, effective 9/24/01)

WAC 504-14-450 Replacement parking permits and indicators. (1) Sold or traded vehicles. Failure to advise ((WSU Spokane public safety)) the parking department of a sale or trade for registration purposes may result in continued responsibility to the permit holder for ((citations)) parking tickets received on ((that permit)) vehicles.

The permit holder has responsibility for removing parking permits prior to selling or trading a vehicle. The identifiable remnants of the original permit must be presented to ((WSU Spokane public safety)) the parking department to receive a free replacement. Persons failing to comply with this requirement shall pay the cost of a new permit.

(2) Lost/stolen permits. Permit holders are responsible for the security of their permits. The theft or loss of a parking permit should be reported to ((WSU Spokane public safety)) the parking department immediately upon discovery. A lost or stolen permit ((will)) may be replaced ((once at no cost, but only if a theft report of the permit has been filed in the appropriate police jurisdiction and verified by WSU Spokane public safety. The second time the permit is reported stolen, the replacement fee will be ten dollars; the third time, twenty dollars; and thereafter, the original cost of the stolen permit. A lost permit will be replaced once for ten dollars; the second time, twenty dollars; and thereafter at the original cost of the permit)) upon payment to the parking department of the cost of replacing the permit, according to a schedule adopted by the parking department. Lost or stolen permits must be returned to the ((WSU Spokane public safety office)) parking department immediately if recovered.

((3) Windshield replacements. When a permit bearing windshield is replaced, the permit replacement fee will be waived if proof of replacement is presented.))

AMENDATORY SECTION (Amending WSR 01-18-015, filed 8/24/01, effective 9/24/01)

WAC 504-14-460 False information. No person shall obtain, attempt to obtain, or use in a manner contrary to these regulations, a modified or counterfeit parking permit or a permit issued upon false information. A violation of this section includes giving a false name, address, and/or other information known to be false. It also includes the use of a visitor, conference, and commercial permit by staff or students. Violation of this provision shall constitute the illegal use of a parking permit and ((will be)) is subject to ((citation and fine)) issuance of a parking ticket.

AMENDATORY SECTION (Amending WSR 01-18-015, filed 8/24/01, effective 9/24/01)

WAC 504-14-470 ((Revocation)) Recall or suspension of parking permits. Parking permits are the property of WSUS ((Spokane)) and may be ((revoked)) recalled or suspended for violations of any of the following by ((WSU Spokane public safety)) the parking administrator when:

(1) The purpose for which the permit was issued changes or no longer exists;

(2) A permit is used on an unauthorized vehicle or by an unauthorized person;

(3) A parking permit application is falsified;

(4) A counterfeit, modified, or lost/stolen permit is used; or

(5) The parking permit fee is unpaid.

AMENDATORY SECTION (Amending WSR 01-18-015, filed 8/24/01, effective 9/24/01)

WAC 504-14-510 Parking permits—General. ((WSU Spokane public safety will)) The university issues parking permits for designated areas of the campus. Any vehicle parked on ((WSU Spokane property, other than a pay area or metered space,)) the campus must clearly display a valid university parking permit ((for a given area)) in accordance with this chapter during the posted hours when and where permits are required. University staff and students may not use any other permit in lieu of a valid university parking permit.

AMENDATORY SECTION (Amending WSR 01-18-015, filed 8/24/01, effective 9/24/01)

WAC 504-14-520 Parking permits—Form and display. All parking permits must be displayed in the approved position on the vehicle with permit numbers and relevant dates visible. Vehicles with permits which are not displayed in accordance with the provisions of this section ((are not valid, and vehicles displaying them improperly)) are subject to ((citation)) parking tickets for the violation of improperly displaying a permit.

(1) Autos and trucks:

(a) Hanging permits, both annual and ((temporary)) daily, must be displayed hanging from the rear-view mirror post or placed on the dash of vehicle, driver's side, in a manner permitting visibility from outside at all times.

(b) ((Transferable cards)) Permits mounted solely by suction cup and ((affixed)) permit decals directly affixed to the windshield must be displayed on the front windshield at the lower left corner (driver's side). Decals must be mounted completely by means of their own adhesive (not by tape).

(2) Motorcycles ((and mopeds: Motoreycle and moped permits must be mounted completely by means of their own adhesive and prominently displayed on the left rear side of the vehicle or on top of the rear tail light)) must display a valid permit at all times.

AMENDATORY SECTION (Amending WSR 01-18-015, filed 8/24/01, effective 9/24/01)

WAC 504-14-540 Zone parking permits—Availability and use. The management and assignment of parking zones is designed to provide a parking space to each permit holder. However, uncontrolled access to parking areas and unexpected parking demand make it impossible to guarantee a parking space in a permit holder's assigned zone. Every effort is made via surveys and limits on permit sales, to ensure that permit holders are not displaced from their assigned zones. Staff and students are generally assigned to specific parking areas ((called)) referred to as zones. Parking zones are color-coded with respect to their price and numbered with respect to the specific parking ((area)) zone assignment of each permit holder. Permit holders may park in their assigned zone as reflected by the combination of color and number on their permit and corresponding sign, or they may park in other zones as ((signed)) described below.

(1) Green permits. Green permit holders may park in their assigned green zone, or in any yellow or red zone.

(2) Yellow permit. Yellow permit holders may park in their assigned yellow zone, or in any red zone.

(3) Red permit. Red permit holders may park in the red zone.

AMENDATORY SECTION (Amending WSR 01-18-015, filed 8/24/01, effective 9/24/01)

WAC 504-14-560 Other parking permits—Availability and use. (1) Visitor permits((:)). Visitor permits may be used only by bona fide visitors as defined by this chapter. Use by any other person constitutes illegal use of a parking permit. Visitor permits are valid in any zone and parking spaces signed for visitor((s)) permits only. Visitor permits are not valid at meters or restricted spaces.

(2) Golden cougar permits(:). Golden cougar permits are special visitor permits that are issued to retired ((faculty and)) staff ((free of charge)) in recognition of their service without additional cost. They are issued on an annual basis and are valid in any zone. ((Faculty and)) Staff who ((remain regularly)) are employed by the university or by other entities located on campus after formal retirement are not eligible to use a golden cougar permit in lieu of a regular paid zone permit. Comparable permits from other campus institutions will be honored.

(3) President's associates decals(:). President's associates decals are issued to eligible members of the ((WSU)) Washington State University foundation. They are valid in any zone. However, ((WSU)) university faculty, staff, and

students may not use a president's associates decal in lieu of a paid zone permit.

(4) Conference permits(:). Conference permits are available to visitors who participate in conferences held on the WSUS ((Spokane)) campus. They are available on a daily basis only. Conference permits ((are valid in any)) may be assigned to a specific zone.

(5) ((Motoreycle permits: Motoreycle permits are valid within boundaries of areas specifically posted and/or marked for motorcycle permits.

((6))) Construction permits(:). A construction permit is issued to personnel who are working on a construction site on campus. Construction permits are available on an annual or daily basis and are assigned to a specific parking area.

((7)) (6) Carpool(:). Upon ((completion of)) application, a bona fide carpool((s)) with ((three)) four or more participants ((will be)) is given preference in the assignment of parking zones, and ((will be)) issued a permit ((instrument)) that ((will)) facilitates the carpool. Obtaining or using a carpool permit under false pretenses constitutes the illegal use of a permit.

AMENDATORY SECTION (Amending WSR 01-18-015, filed 8/24/01, effective 9/24/01)

WAC 504-14-580 Special indicator decals(:) and hangers. Special indicator decals or hangers may be issued to staff and student permit holders who have otherwise valid parking permits in the following cases:

(1) A "service" indicator decal((s)) or hanger((s which are)) is valid typically for a maximum of fifteen minutes in a marked service zone. ((A separate mall service indicator allows a maximum of fifteen minute parking in the pedestrian mall. These are available to staff or students who must use a private vehicle for university business.))

(2) A reserved parking indicator decal((s)) or hanger((s which are)) is valid in parking spaces that are signed for the corresponding permit and indicator.

AMENDATORY SECTION (Amending WSR 01-18-015, filed 8/24/01, effective 9/24/01)

WAC 504-14-600 ((Disability permits:)) Parking permits for persons with disability. ((WSU Spokane strives to comply with the Americans with Disabilities Act (ADA) parking standards.

There are two types of disability permits:

(1) Permanent physical disability. Disability permits are available to permanently disabled WSU Spokane staff and students at the established fee. Disability permit holders may park in any zone and meter spaces if disability parking spaces are not available. They may not park in service zones or reserved spaces if disability parking spaces are not available.

(2) Temporary physical disability. Disability permits are available to temporarily disabled staff and students at the established fee for a maximum of six weeks, although they may be renewed.

Staff and students must obtain temporary disability forms from WSU Spokane public safety. These disabled parking privileges will be granted only after submission of the forms that show the applicants meet criteria established

~~by the ADA. The forms must be completed by health care providers. WSU Spokane public safety will not accept substitute forms or letters.)~~ (1) The provisions of this chapter cover the purchase and display of parking permits and payment of fees and fines associated with parking for persons with disability.

(2) For the purpose of this chapter, persons with disability shall refer to a person or persons with disability who qualify for a state-issued persons with disability parking identification and permit.

(3) Persons with disability desiring to purchase a university parking permit must present a valid state-issued persons with disability parking identification.

(4) Unless otherwise authorized or permitted under this chapter, parking in spaces designated for persons with disability requires a valid university parking permit and state-issued persons with disability parking permit to park on campus.

(5) A person with disability is eligible to purchase a green permit at the red permit zone price.

AMENDATORY SECTION (Amending WSR 01-18-015, filed 8/24/01, effective 9/24/01)

WAC 504-14-650 ((Permit)) Parking fees and fines.

(1) Schedules for parking fees, parking administrative fees, late payment fees, parking fines and sanctions, parking meter rates, prorate and refund schedules, and the effective date thereof ((will be)) are submitted to the president or his/her designee and to the board of regents for approval by motion; provided, however, that increases in fees and fines do not exceed limits established by the board of regents. Increases in fees and fines that do not exceed limits established by the board of regents are not submitted to the board of regents so long as the board of regents has delegated authority to the president or his designee to approve all such fees and fines. The schedules for all parking fees and fines described above for all parking fees and fines are thereafter posted in the public area of ((WSU Spokane public safety and filed with the university rules coordinator)) the parking department office and posted on the parking department's web site.

(2) Payments. Parking fees and fines may be paid at the parking department by cash, check, approved payment card, or money order. A payroll deduction plan is available for eligible university employees and eligible graduate students.

(3) The proper fee must be paid for all vehicles parking in parking meter spaces unless otherwise authorized.

(4) Staff members whose work schedules qualify them for nighttime differential pay may purchase the green zone permit for the red zone permit price.

(5) Refunds. Annual permits being relinquished may be returned to the parking department for a pro rata refund in accordance with university policy. Identifiable remnants of the permit must be returned. The balance of any fees and fines owed the parking department is deducted from any refund due. Refunds for temporary permits are not granted. Refunds for pretax payroll deductions cannot be granted pursuant to federal tax laws.

(6) The parking department makes a wide array of options available in advance to university departments for

use by their visitors, guests, and employees for the purpose of conducting departmental business. However, when necessary, university departments that can establish in writing that a parking ticket issued by the parking department was received as a result of parking any vehicle for the purpose of conducting official state business, or while conducting official business with the university or any entity located at the university are assessed a parking fee assessment (PFA) in lieu of the parking fine. Such requests for PFAs are signed by a department fiscal custodian. A PFA consists of the maximum daily parking fee plus an additional administrative fee for failing to purchase and provide the necessary parking permit or fee in advance or at the time of parking. University departments are encouraged to avoid additional administrative fees associated with PFAs by purchasing and storing prepaid parking permits and by making them available as the department deems necessary. Nothing in this regulation allows a university employee to receive, or attempt to receive, any benefit associated with his or her personal expenses in violation of the State Ethics Act. All questionable employee conduct regarding the application of this section is reported to, and investigated by, the university internal auditor. This section applies only to parking tickets issued pursuant to this chapter.

NEW SECTION

WAC 504-14-750 Reciprocal parking agreements.

(1) Purpose. The university can enter into reciprocal parking agreements with other universities and Washington State University campuses for the purpose of enhancing the accessibility to various campuses for faculty, staff, and students participating in various courses and programs.

(2) The university faculty, staff, and students assigned to, enrolled at, or who pay fees to the WSUS campus or employees of other entities located on the WSUS campus must display a valid university parking permit when parking at the university. Any attempt by the above personnel to use a parking permit from another university campus in lieu of a valid WSUS permit may result in a fine for illegal use of a parking permit.

AMENDATORY SECTION (Amending WSR 03-15-060, filed 7/14/03, effective 8/14/03)

WAC 504-14-810 Violations, fines, and sanctions.

(1) Violations and fines((:)). Parking violations ((will be)) are processed by the university. Fines must be paid at the parking department or at other authorized locations((::)) by mail, or from the parking department's web site. Schedules for parking violations, fines, and sanctions are posted in the public area of the parking ((services)) department office and on the parking ((services)) department's web site.

(2) Reduction of fines((:)). Fines for violations of overtime/nonpayment at meter and overtime in time zone paid within twenty-four hours will be reduced by one-half).

(a) The fine for "meter violation" and the fine for "overtime in a timed zone" violations are reduced by one-half if paid within twenty-four hours of time of issuance. Eligible violations received on Friday or Saturday can be paid on the following Monday to satisfy the twenty-four-hour require-

ment. Mailed payment of fines must be postmarked within twenty-four hours to receive the one-half reduction. ((If a permit holder of record neglects to display his/her permit and receives a notice of violation for no parking permit, that fine will be reduced when possession of a valid parking permit for the location is verified by WSU Spokane public safety within twenty-four hours.

((3)) (b) Visitors((:)). The first violation of notices for "no parking permit" and "no parking permit for this area" issued to a visitor(s) is considered a warning notice(((s))) upon presentation of the parking ticket to ((WSU Spokane public safety)) the parking department.

((4)) (c) If a permit holder of record neglects to display his or her permit and receives a notice of violation for "no parking permit," a reduced fine is assessed when possession of a valid parking permit for the location is verified by the parking department within twenty-four hours.

(d) Internal policies regarding disposition of parking tickets may be established on approval of the chancellor or designee whose responsibilities include supervision of the parking department, under the advisement of the university's internal auditor.

(3) Inoperable vehicles(:). It is the owner's responsibility to immediately contact ((WSU Spokane public safety)) the parking department in the event that the owner's vehicle becomes inoperable when the vehicle is present on campus.

(4) Payment of parking fines. All parking fines are due upon issuance of a parking ticket. Thirty days after date of issuance of a parking ticket, a late fee shall be added to all unpaid parking fines. For example, a parking ticket issued on May 1 would be assessed a late fee on May 31. Failure to pay the fine and fee assessed for any violation results in referral to the university controller's office or to a private collection agency for collection. Where collection efforts are unsuccessful, the controller or designee may notify the registrar to refrain from issuing student transcripts or to withhold permission to reenroll for a subsequent term until outstanding fines and fees are paid. The procedures discussed above are not exclusive, however, and failure by anyone to pay fines and fees may also lead to towing or use of the wheel lock device described in these regulations. Nor are the procedures discussed above a precondition to towing or use of the wheel lock.

(5) Failure to pay fines. Failure to pay a fine or comply with other penalties assessed pursuant to these regulations, and exhausting or failing to exercise appeals provided for in these regulations, may result in the inability to renew a vehicle license through the state pursuant to RCW 46.16.216.

AMENDATORY SECTION (Amending WSR 01-18-015, filed 8/24/01, effective 9/24/01)

WAC 504-14-860 Appeal(s) procedures. The parking ticket represents a determination that a parking violation has been committed and the determination is final unless otherwise provided for or appealed as provided in this chapter.

(1) Purpose(:). The parking appeals ((committee)) process serves ((two)) three primary functions:

(a) To ((assure an impartial evaluation of the circumstances relating to a particular parking violation; and)) hear parking ticket appeals;

(b) To ((aid in the appraisal of parking and traffic problems)) hear appeals of wheel lock eligibility determination; and

(c) To hear appeals of impoundments.

(2) Procedure(:). Any person who has received ((notice of a parking violation)) a parking ticket may appeal the alleged parking violation. ((The appellant may request more information from WSU Spokane public safety.)) Appeal of wheel lock eligibility determinations and impoundments are described in WAC 504-14-865 and 504-14-870.

(3) Written parking ticket appeals. The appeal must be in writing and received at ((WSU Spokane public safety)) the parking department within ten calendar days ((after receipt of notice of the violation)) of issuance of the parking ticket. Forms for this purpose are available from ((WSU Spokane public safety)) the parking department. The parking appeals committee ((will)) makes an initial decision ((on)) regarding the appeal within twenty calendar days during the academic year and ((forty-five)) within thirty calendar days during the summer months after receipt of the appeal. The committee ((will serve)) provides a brief statement of the reason(s) for its decision ((on)) to the appellant within ten calendar days of the decision.

((3)) (4) Review hearing of initial decision(:). If the appellant is dissatisfied with the initial decision, ((he/she)) the appellant may request a hearing before a hearing officer or the parking appeals committee. Such a request must be made within ten calendar days of ((service of)) the ((notice)) date of the initial parking appeals committee decision. If no such request is received, the initial decision shall be final. During the ((review)) hearing the appellant and representatives of ((WSU Spokane public safety)) the parking department may present and cross-examine witnesses. The hearing officer or appeals committee shall render a decision in writing and ((serve)) provide appellant with the decision within ((five)) ten calendar days after the ((review)) hearing.

((4)) (5) Appeal to district court(:). RCW 28B.10.-560 provides that a person who is not satisfied with the final decision of the university may appeal to district court. The application for appeal to district court shall be in writing and must be filed at the ((WSU Spokane public safety)) parking department office within ten calendar days after ((service of written notice of the final decision. WSU Spokane public safety will)) the date of the review hearing. The parking department forwards the documents relating to the appeal to the district court.

PART V: ((TRAFFIC RULES)) **IMPOUNDMENT OF VEHICLES**

NEW SECTION

WAC 504-14-865 General. (1) Pursuant to the provisions of this chapter, an officer shall cause a vehicle to be wheel locked, or towed, or both, if:

(a) The vehicle is on the wheel lock-eligible list; or

(b) The vehicle displays a lost, stolen, or counterfeit parking permit.

(2) Any vehicle may be towed away at owner's/operator's expense if the vehicle:

(a) Has been immobilized by wheel lock for more than twenty-four hours; or

(b) Is illegally parked in a marked tow-away zone; or

(c) Is a hazard or obstruction to vehicular or pedestrian traffic (including, but not limited to, vehicles parked at curbs or rails painted yellow or red or in crosswalks); or

(d) Cannot be immobilized with a wheel lock device; or

(e) Is illegally parked in a disability space.

(3) The driver and/or owner of a towed vehicle shall pay towing and storage expenses.

(4) Any vehicle immobilized by use of the wheel lock device in excess of twenty-four hours is assessed a storage fee for each calendar day or portion thereof, beyond the first twenty-four hours.

(5) The university assumes no responsibility in the event of damages resulting from towing, use of wheel lock devices, storage, or attempts to move a vehicle with a wheel lock device installed.

(6) No vehicle impounded by towing or wheel lock devices shall be released until the following fines are paid in cash or with an approved payment card:

(a) All unpaid parking ticket fines and late fees against said vehicle and any other vehicle registered to the violator and/or owner;

(b) A wheel lock fee; and

(c) All towing and storage fees.

(7) A person wishing to challenge the validity of any fines or fees imposed under this chapter may appeal such fines or fees as provided in WAC 504-14-860. However, in order to secure release of the vehicle, such person must pay the amount of such fines or fees as a bond which shall be refunded to the extent the appeal is successful.

(8) An accumulation of six unpaid violations during any twelve-month period, exclusive of overtime at parking meter violations, and overtime in time zone violations, subjects the violator to revocation or denial of parking privileges. Vehicles without permits which accumulate the above number of violations may be prohibited from parking on university property.

NEW SECTION

WAC 504-14-870 Wheel lock-eligible list. (1) The parking administrator shall be responsible for creating and maintaining the wheel lock-eligible list. See definition of "wheel lock-eligible vehicle."

(2) A wheel lock-eligible vehicle shall be placed on the wheel lock-eligible list after notice has been issued as provided in subsection (3) of this section and an appeal of the wheel lock eligibility determination, if requested, under subsection (4) of this section.

(3) At least ten days prior to placing a vehicle on the wheel lock-eligible list, the parking administrator shall mail a notice to the owner. The parking administrator mails the notice to the address stated on the most current registration records available to the university from a state, or any more

current address of which the parking administrator has actual written notice. The notice is sent by first class United States mail, postage prepaid. The notice shall set forth:

(a) The make and license plate number of the alleged wheel lock-eligible vehicle.

(b) A specified date on which the wheel lock-eligible vehicle is subject to placement on the wheel lock-eligible list.

(c) A list of the three or more alleged unpaid parking tickets, including the parking ticket number, date, time, place of the violation, and the nature of the violation. This list shall include all unpaid parking tickets issued to a particular vehicle to include the payment of fines and fees related to parking tickets not yet eligible for late fees.

(d) That the owner may avoid the placement of the vehicle on the wheel lock-eligible list by making payment in full of fines and late fees on all unpaid parking tickets to include the payment of fines and fees related to parking tickets not yet eligible for late fees by the specified date on which the vehicle is subject to placement on the wheel lock-eligible list.

(e) The name, mailing address (and street address if different), and telephone number of the parking department office that may be contacted to appeal the wheel lock eligibility determination. Such an appeal only considers whether an individual vehicle was properly placed on the wheel lock-eligible list and not the merits of an individual parking ticket, which may be addressed pursuant to a separate appeals process described in WAC 504-14-860.

(f) That the vehicle is subject to wheel lock, towing, or both once it is placed on the wheel lock-eligible list.

(g) That all late fees, wheel lock fees, towing, and storage fees shall be payable in full to obtain the release of a vehicle wheel locked or towed pursuant to this chapter in addition to payment of any and all unpaid parking tickets on this vehicle or other vehicles owned by the registered owner to include the payment of fines and fees related to parking tickets not yet eligible for late fees.

(4) If a request for an appeal of a wheel lock eligibility determination is received by the parking administrator before the specified date in the notice for placement of the vehicle on the wheel lock-eligible list, then the parking administrator shall afford the owner an opportunity to appeal the wheel lock eligibility determination prior to the placing of a vehicle on the wheel lock-eligible list. Although the parking administrator shall not have the authority to adjudicate the merits of any parking ticket, she or he shall, however, receive evidence and other input from the owner appealing the wheel lock eligibility determination that the notice given under subsection (3) of this section was erroneous or based on erroneous information.

(5) If an owner timely participates in the appeal as scheduled by the parking administrator, he or she shall furnish the owner written notice of his or her decision prior to placing the vehicle on the wheel lock-eligible list.

(6) After the specified date provided in the notice issued under subsection (3) of this section, the parking administrator shall review the records to ensure that the alleged unpaid parking tickets have not been paid or otherwise resolved, and that no information has been received indicating that the notice was erroneous.

(7) Once a vehicle has been placed on the wheel lock-eligible list, it shall not be removed from the list unless and until:

(a) The fines and fees on all unpaid parking tickets issued during the time it has been registered to or otherwise held by the owner are paid or otherwise resolved to include the payment of fines and fees related to parking tickets not yet eligible for late fees;

(b) The parking administrator receives reliable information that title to the vehicle has been transferred; or

(c) The parking administrator determines that the placement of the vehicle on the wheel lock-eligible list was erroneous.

(8) If a vehicle is not properly registered in any state or no registration information is available to the university and the vehicle is wheel lock eligible, then notice shall be provided by posting on the vehicle a conspicuous notice, which shall set forth:

(a) A description of the alleged wheel lock-eligible vehicle;

(b) A specified date on which the wheel lock-eligible vehicle is subject to placement on the wheel lock-eligible list;

(c) That the owner may avoid placement of the vehicle on the wheel lock-eligible list by making payment in full of fines and late fees on all unpaid parking tickets to include the payment of fines and fees related to parking tickets not yet eligible for late fees by the specified date certain on which the vehicle is subject to placement on the wheel lock-eligible list; and

(d) That the vehicle is subject to wheel lock, towing or both once it is placed on the wheel lock-eligible list.

(9) An officer shall attempt to wheel lock any vehicle which appears on the wheel lock-eligible list when parked, lawfully or unlawfully, on campus.

(10) The parking administrator shall ensure that officers are on duty to remove wheel locks from vehicles.

NEW SECTION

WAC 504-14-880 Fees, fines, and release of an impounded vehicle. The owner of an impounded vehicle may not secure the release of the stored vehicle until payment in full of fines and fees has been made on all unpaid parking tickets to include the payment of fines and fees related to parking tickets not yet eligible for late fees relating to the vehicle which were issued while the vehicle was owned by the person who owned the vehicle at the time it is wheel locked or towed hereunder, and the owner has paid in full the wheel lock fee, unpaid parking tickets, late fees, storage fees, and towing fees for any and all other vehicles owned by the registered owner.

NEW SECTION

WAC 504-14-885 Theft, damage, or removal of a wheel lock device. The following conduct of any person shall be reported to parking department or university security:

(1) Causing physical damage to a wheel lock device;

(2) Removing, or attempting to remove, a wheel lock device; or

(3) Taking or stealing a wheel lock device.

PART VI: TRAFFIC RULES

AMENDATORY SECTION (Amending WSR 01-18-015, filed 8/24/01, effective 9/24/01)

WAC 504-14-920 Closed and restricted areas. In certain designated areas on campus, such as the pedestrian mall in the campus core, driving is restricted to mall service vehicles.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 504-14-430

Change in residence or license plates.

WAC 504-14-830

Other violations and sanctions.

WSR 08-03-136

PROPOSED RULES

DEPARTMENT OF TRANSPORTATION

[Filed January 23, 2008, 9:19 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 07-22-009.

Title of Rule and Other Identifying Information: Chapter 468-60 WAC, Trip reduction performance program.

Hearing Location(s): Washington State Department of Transportation, Commission Board Room 1D2, 310 Maple Park Avenue S.E., Olympia, WA 98504, on March 3, 2008, at 11:30 a.m.

Date of Intended Adoption: March 3, 2007 [2008].

Submit Written Comments to: Hiep Tran, P.O. Box 47387, Olympia, WA 98504-7387, e-mail tranh@wsdot.wa.gov, fax (360) 705-6862, by February 26, 2007 [2008].

Assistance for Persons with Disabilities: Contact Hiep Tran by February 29, 2007 [2008], TTY (360) 705-7000 or (360) 705-7760.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Updating this chapter of the Washington Administrative Code will clarify the intent and requirements of the trip reduction performance program.

Reasons Supporting Proposal: The revisions will clarify the program payments for projects.

Statutory Authority for Adoption: RCW 70.94.996.

Statute Being Implemented: RCW 70.94.996.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Washington state department of transportation, public transportation and rail division, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Hiep Tran, Public Transportation Division, (360) 705-7806.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The trip reduction performance program is a voluntary program therefore it does not have economic impact to small business.

A cost-benefit analysis is not required under RCW 34.05.328. There is no additional financial impact related to the implementation of this rule.

January 18, 2008
Steve Reinmuth
Chief of Staff

AMENDATORY SECTION (Amending WSR 07-05-064, filed 2/20/07, effective 3/23/07)

WAC 468-60-010 Trip reduction performance program. The Washington state department of transportation (WSDOT), together with the commute trip reduction (CTR) board, will administer the trip reduction performance program (TRPP). This program is designed to create cost-effective trip reduction projects that reduce the number of commute vehicle trips and commute vehicle miles traveled (VMT). The 2003 legislature created this program to provide financial incentives or compensation to organizations that implement and administer cost-effective projects that increase the capacity of the transportation system by reducing the number of vehicle trips and miles traveled for commute purposes. WSDOT awards funds for cost-effective trip reduction projects, based on a price that the project charges WSDOT to reduce an annualized trip, and the projected number of annual commute vehicle trips and commute VMT reduced during the project period (the project goal). Up to half of the award amount is available through reimbursement for start-up costs. WSDOT will determine the remaining award amount, as well as any bonus funds, based on the actual performance of the project in meeting or exceeding the goal. As necessary, WSDOT will revise these rules periodically to create a more efficient, cost-effective, trip reduction program.

(1) What are trip reduction performance projects?

WSDOT awards funds on a competitive basis to organizations that create cost-effective projects designed to reduce commute vehicle trips and commute VMT (based on the morning commute). The organization will receive funds based on the price associated with each trip and overall project performance. The TRPP is available to private employers, public agencies, nonprofit organizations, developers, and property managers who find new (to the area), sustainable ways to reduce the number of vehicle trips and vehicle miles traveled per person for commuting, and who provide financial incentives to their own or other employees for ridesharing, public transportation, nonmotorized transportation, telework, and alternative work schedules.

(2) Definitions. For purposes of this section, the following definitions apply.

(a) A *financial incentive* is defined as a policy, procedure, capital investment or payment intended to provide employees a financial gain if they commute in ways other

than by driving alone. For example, the eligible incentives may include, but are not limited to: Providing a free transit pass, reducing the parking charge for rideshare vehicles, initiating parking charges for employee vehicles, reducing the cost of a transportation service such as a transit pass, paying the membership fee for a car sharing program, providing employees alternative work week schedules, providing a direct cash payment, reducing the insurance rate for employees who reduce the use of their vehicle for commuting, or reducing the distance an employee travels to work by reassigning their work location to a worksite closer to their home.

(b) *Car sharing* means a membership program intended to offer an alternative to car ownership under which persons or entities that become members are permitted to use vehicles from a fleet on an hourly basis.

(c) *Telework* means a program where an employee performs work functions that are normally performed at a traditional workplace, but does so instead at the employee's home, or at a work center that is located closer to the employee's home than to the employee's workplace, for at least one day a week with the effect of reducing the number of trips to the employee's workplace.

(d) A *person-trip* is one one-way commute trip made by one person to get to work. A trip avoided because the employee teleworks, or because the employee works a compressed work week schedule, is also considered a person-trip.

(e) A *mode* is the means of transportation an employee took to work. Driving alone, carpooling, working an alternative work schedule, teleworking, bicycling, etc., are examples of modes.

(f) A *measurement* records the number of person-trips made by employees commuting to work during a period such as a week or month, using each specific transportation mode. A measurement also records the distance each employee commutes to work; the type of work schedule or compressed work week that each employee works; and the number of persons in the employee's carpool or vanpool if the employee uses one of these modes. WSDOT may require that a measurement record additional information.

(g) *Mode share* is the percentage of person-trips made by a population of employees commuting to work using specific modes of transportation. For example, if twenty-three percent of the person-trips made in commuting to a worksite are by carpool, the carpool mode share for that worksite is twenty-three percent.

(h) A *mode split* is the set of mode shares for a population of employees, such as those commuting to a worksite. The sum of the mode shares for the population is one hundred percent. When calculating mode shares and mode split from measurement data, WSDOT makes adjustments as necessary for missing data, days reported by employees as not worked, inconsistency between commute mode and vehicle occupancy data, and reported use of compressed work weeks. When making these adjustments, WSDOT follows CTR board guidelines when these are available, and makes reasonable adjustments otherwise.

(i) *Commute vehicle trips* is the number of vehicle trips made to bring employees to work at a worksite or specified collection of worksites on an average weekday morning, using the mode split from a measurement. WSDOT will pro-

vide information to applicants on calculating commute vehicle trips.

Calculation: WSDOT calculates a vehicle trip by dividing a person-trip by the number of persons in the vehicle. For passenger cars, trucks, vans, and motorcycles, WSDOT calculates the vehicle occupancy from measurement data using CTR board guidelines, or from equivalent data as agreed by WSDOT and the applicant. For buses, WSDOT assumes an average occupancy of twenty-five persons. If the CTR board issues guidelines for using bus occupancy, WSDOT will follow the board's guidelines in subsequent projects. A person-trip made by bicycling, walking, or other nonmotorized means of transportation; by riding a train; or avoided either because the employee teleworks or because the employee works a compressed work week schedule, is not considered as using a motor vehicle under this definition. If employees at a worksite work at jobs that last less than a full year, WSDOT annualizes the commute vehicle trips. For example, if the jobs at a worksite last for only nine months, then WSDOT will annualize the commute vehicle trips as three quarters of the commute vehicle trips that would be calculated if the employees worked for a full year. WSDOT then will use the annualized values in determining project performance and payments.

(j) *Reduced commute vehicle trips* is the reduction in the number of commute vehicle trips between a baseline measurement and a subsequent measurement. WSDOT will provide information to applicants on calculating reduced commute vehicle trips.

Calculation: WSDOT calculates reduced commute vehicle trips by subtracting the number of commute vehicle trips made by the employees in the subsequent measurement, from the number of vehicle trips the same number of employees would have made if they had commuted using the mode split from the baseline measurement.

(k) *Commute vehicle-miles traveled per person* (VMT) is the average daily vehicle trips each employee makes in a motorized vehicle, multiplied by the employee's one-way distance to work, summed for all employees, and the sum then divided by the number of employees.

(l) *Reduced VMT* is the reduction in the number of commute vehicle-miles traveled per person between a baseline measurement and a subsequent measurement. WSDOT calculates reduced VMT by subtracting the commute vehicle-miles traveled per person in the subsequent measurement, from the commute vehicle-miles traveled in the baseline measurement.

(m) A *project goal* is the total number of commute vehicle trips that a TRPP project proposes to reduce when it applies for TRPP funding.

(n) An *interim goal* is the number of commute vehicle trips that a TRPP project proposes to reduce for specified periods shorter than the project's entire duration. Payments for interim goals are subject to WSDOT approval.

(o) *Performance* is defined as the reduction in the number of commute vehicle trips to work locations in the TRPP project, with credit given for reductions in the commute vehicle miles traveled by employees to those work locations. WSDOT will provide directions for calculating this credit as part of the materials used when applying for TRPP funds.

(p) *Agent* is an organization or individual who represents the private employer, public agency, nonprofit organization, developer, or property manager and is charged with managing the TRPP or providing the employee the financial incentive.

(q) The *price per trip (or trip price)* is the amount that WSDOT agrees to pay for each annualized commute vehicle trip reduced by a TRPP project, up to the number of trips proposed in the project goal. WSDOT will set a maximum price per trip that it is willing to pay, that does not exceed the estimated annualized cost of providing new roadway capacity. WSDOT may vary the maximum cost by year. WSDOT will provide the maximum cost per trip as part of the documents for applying for TRPP funds.

(r) A *cost-effective application* is one that defines a project that will reduce commute vehicle trips and commute vehicle miles traveled at a price equal to or less than WSDOT's maximum price per trip.

(s) A basic project is a project that lasts up to two years.

(t) A multi-year project is a project that lasts from three to five years.

(u) The *award amount* for a project is equal to the price per trip multiplied by the project goal.

(3) **Who can apply?** To be eligible for TRPP funds, the applicant must provide financial incentives to their own or other employees for ridesharing, using public transportation, car sharing, nonmotorized commuting, telework, and/or compressed work weeks. The statewide funds are available on a competitive basis for private employers, public agencies, nonprofit organizations, developers, and property managers or their agents who create cost-effective trip reduction projects.

(4) **What kinds of projects will be funded?** To receive funds, the project must meet the program requirements and rank highly in the competitive review. The applicant determines the actual scope and design of the project. New and existing projects are eligible for selection. The primary focus of the review committee will be to select sustainable, cost-effective trip reduction projects, and if they are new or innovative, they will be given additional consideration.

(5) **How are the program funds appropriated?** The Revised Code of Washington, RCW 70.94.996 authorizes the legislature to appropriate funding for this program.

(6) **Are any of the TRPP funds set aside for specific use?** Any funds appropriated to TRPP beyond the initial program level of seven hundred fifty thousand dollars per year may be used for projects within growth and transportation efficiency centers (GTEC) and for performance of local jurisdictions.

(a) Up to eighty-five percent of any appropriated funds in excess of the initial program level will be available for GTEC projects.

(b) GTEC projects will be subject to the same competitive processes and rules as projects funded with initial program funds.

(c) Fifteen percent of any appropriated funds in excess of the initial program funds will be made available for CTR affected jurisdictions as local jurisdiction performance funds.

(d) Appropriated funds in excess of the initial program funds will be made available to proposals outside of GTECs

if there are funds remaining after all proposals within GTECs that fit the program structure for viable, cost-effective, trip reduction projects have been funded.

(e) Any appropriated funds in excess of the initial program funds and any initial program funds that remain after start-up funds, performance funds, and performance bonuses are paid will be used for local jurisdiction performance funds.

(f) WSDOT will determine the jurisdiction performance levels, and payments to the jurisdictions for performance will not exceed the maximum price per trip allowed by WSDOT.

(7) **How will the TRPP funds be distributed?** A minimum amount of the TRPP funds is to be available for each of three funding zones: Ten percent of available funds for Central Puget Sound (CPS) (King, Pierce, Snohomish counties), ten percent of available funds for non-Central Puget Sound applications, and ten percent of available funds for statewide applications (applications with worksites in the CPS and outside the CPS). The remaining funds will be awarded based on the project's ranking and available funds. WSDOT is bound to this distribution only if there are applications that fit the program structure and are viable, cost-effective trip reduction projects. This applies to all current and future funds.

(8) **How much money will be awarded to individual projects?** Funds will be allocated based on the estimated commute vehicle trips and miles traveled reduced for the project. The applicant will provide an estimate of the anticipated performance (their goal), and the price per trip that the project will charge WSDOT for reducing a commute vehicle trip. Once the selection committee ranks the projects, WSDOT will award funds based on committee ranking until half of the program funds are awarded in each fiscal year or all cost effective projects are funded. A project for a single worksite may not receive more than one hundred thousand dollars per fiscal year.

(9) **How much money can be awarded to applications with multiple partners?** Each organization (agency or employer) on the application may receive up to one hundred thousand dollars with the total amount not to exceed two hundred fifty thousand dollars per application, per fiscal year as identified in RCW 70.94.996. If additional funds are appropriated by the legislature for this program, WSDOT may exceed this organization maximum award at their discretion.

(10) **Who can apply for a "partnership"?** An agent "who will provide the financial incentive to the employee" can submit a project partnership application and be the prime recipient for the project.

(11) **How does the applicant apply for the TRPP funds?** WSDOT will notify eligible applicants of the open period for applications. WSDOT may open more than one application period per year depending on whether all funds are awarded. Applicants apply by submitting a completed "TRPP" application form during an open application period. The "TRPP" application form is available upon request from WSDOT. WSDOT recommends that applicants within a CTR affected area notify the jurisdictional authority, e.g., regional transportation planning organization (RTPO), county, city, or transit agency, that they are submitting an application for TRPP funds.

(a) Applicants may submit more than one project application for consideration; however, when the sum of all the

project costs are combined, they cannot exceed what the applicant is eligible to receive.

(b) Applicants may submit an application that will cover one or two years (basic project) or apply for projects that cover three to five years (multi-year projects).

(c) All applicants must describe how they will measure performance for their project. Every project must have a baseline measurement and a final measurement. Additional measurements are required for multi-year projects, and interim measurements are optional for all projects.

(d) All applicants must describe how and when they will implement their project.

(e) For basic projects, applicants must estimate the number of vehicle trips and VMT reduced for each fiscal year as well as the project total.

(f) In the case of multi-year projects, applicants must estimate the number of vehicle trips and VMT reduced for each year, as well as a project total.

(12) **Can a basic project be renewed?** A basic project that performs well may be approved for a renewal; however, the contractor must reapply. If the renewal is approved by the selection committee, the applicant may be required to conduct another baseline measurement. Renewal applications may include a proposed adjustment to the trip price and/or goal. Adjustments to the trip price or goal are subject to approval by WSDOT. All basic projects are subject to termination if the project is not performing according to expectations or is not continuing to work towards the reduction of commute trips.

(13) **How will the application be reviewed?** The chair of the CTR board will select a committee comprised of between six and nine members will review the applications and selection. The project selection committee will include at least one member of the CTR board, at least one member from Central Puget Sound and one from the rest of the state, at least one employer, at least one transit member and at least one city government representative. The committee will include at least one member from the CTR technical advisory group (TAG), a member of WSDOT familiar with performance measurement, and an RTPO representative. The award committee will select projects based on the criteria as defined in subsection (12) of this section.

(14) **What are the review criteria?** The applications will be reviewed based on the following criteria:

(a) **Cost effectiveness:** Does the project have a high likelihood of achieving its benefits at a relatively low expenditure of TRPP funds? Are the projected benefits achievable at a cost less than providing the equivalent roadway capacity?

(b) **Sustainability:** If this project is funded, will its benefits continue after the funding element of the project has been completed? Do the project design and partnerships indicate a high probability for continuing the project after all TRPP funds are used? Can the reduction in trips be sustained over a "multi-year project" timeline?

(c) **Innovation:** Is the proposed project a new idea, or something that's been done before but is new to the area? Does the project propose unique ways to reduce trips?

(d) **Measurability:** The performance of the project must be measurable. If an applicant proposes to use their own measurement approach, a detailed measurement plan must be

submitted as a part of the application and must be approved by WSDOT. The measurement approach must be as accurate an estimate of the trips reduced as would be generated if the applicant made use of the WSDOT-developed measurement tool. Deviations from the approved measurement plan will be subject to review and approval by WSDOT. WSDOT may reject an application or terminate the contract if the measurement deviation is not approved.

(e) **Project implementation:** What is the timeline for implementation of the project? When and how will the project be advertised to the target population? All projects must conduct a baseline measurement of all individual participants as they begin taking part in the project. If a project targets an entire worksite, the project must identify the worksite, and all employees must participate in the measurement, or the total number of employees at the worksite must be indicated in the baseline and performance measurements. The applicant must indicate the implementation timeline, proposed measurement methods (if other than WSDOT measurement tool) and measurement schedule in the application.

(f) **Project predictability:** Are the estimates of employee participation, trip reduction, and VMT reduction likely to be achieved based on the assessment of the review committee?

(g) **Redundancy:** Does the project propose to provide services that are already available to the employees?

(h) **Thoroughness:** Has the project been thoroughly researched and carefully thought out? Are adequate details presented in the application?

(15) **How will the recipient receive the money?** Once the projects have been reviewed, prioritized and selected, the applicant will enter into a contract with the Washington state department of transportation for implementation of the project. This contract will establish the amount of money the award recipient can receive for the project, the timelines, performance expectations, and the project's measurement plan. The recipient must submit a TRPP fund disbursement form provided by WSDOT in order to request funds. On this form the recipient will identify the funds requested and provide documentation of performance or expenditures for reimbursement of start-up costs. Applications for multi-year projects must demonstrate the organization's ability to accept payments for performance, as well as bonus funds, through the end of the project time frame. WSDOT will provide funds to the recipient through three approaches: Start-up, performance and performance bonus.

(a) **Start-up funds:** WSDOT will provide start-up funding on a dollar for dollar, cost-reimbursable basis, but will not exceed fifty percent of the total project award for the duration of the project. The recipient of basic project award may request start-up funds after the baseline measurement has begun. The recipient can request start-up funds throughout the project or until the final performance funds are paid. The recipient of a multi-year project award is eligible for start-up funds through a phased payment approach. To calculate the start-up fund disbursement for multi-year projects, multiply the total project amount by 0.5, then divide that number by the number of years in the project. This is the amount that will be available as start-up funds each year.

(b) **Performance funds:** The remaining award amount will be available to the recipient following performance measurement(s) for the project, based on the project's performance. All basic projects are required to measure at the end of the project and deliver the measurement data to WSDOT by June 1st. Projects that conduct interim measurements will be eligible to receive a prorated portion of the performance funding following each measurement, with the balance available after the final measurement. Projects that do not conduct interim measurements will receive their remaining performance funds after the final measurement. For multi-year projects, the recipient must measure the project's performance at the end of each biennium (and deliver the measurement data to WSDOT by June 1st) at a minimum, and at the end of the project. The amount of performance funds paid will be calculated from the project's price per trip and performance. Projects must reduce trips to be eligible for any performance funds. The project application must describe the measurement schedule for the project, and the contract for the project will include a measurement schedule.

(c) **Performance bonus funds:** WSDOT will provide performance bonus funds only at the end of the contract period. The recipient will receive the funds for additional performance above the award amount based on the same price per trip reduced, including credit for VMT reduced, as identified in their contract. The recipient will be eligible to receive additional bonus funds up to one hundred twenty percent of the contracted price per trip, or up to the maximum price per trip allowed (whichever is less), for every trip that exceeds the project goal. WSDOT will make performance bonus funds available only if funds are remaining in the TRPP account.

(d) **Implementation penalties:** All award recipients must implement their projects within three months (first quarter) after signing the contract in order to receive one hundred percent of the awarded funds. If the project is not implemented until the second quarter, only seventy-five percent of the awarded funds will be available; fifty percent if implementation does not occur until the third quarter; and twenty-five percent if implementation does not occur until the fourth quarter. A project is subject to termination if it has not been implemented by the fifth quarter.

(16) **What is the measurement/payment schedule?** Every project must have a baseline measurement, and the baseline measurement must begin before WSDOT will make payments to reimburse start-up costs. Interim measurements can be conducted monthly or quarterly, and must be completed in order to request interim payments. Submission of interim measurements to receive interim payments is subject to prior WSDOT approval. Every project must submit a final performance measurement at the end of the project in order to receive final payment. WSDOT must receive the final performance measurements and request for funds by June 1st of the contract closure year.

(17) **What are interim measurements and payments?** When applicable and when approved in advance by WSDOT, recipients may request monthly and/or quarterly payments for trip and VMT reductions. WSDOT will prorate payments based on the project timeline and the interim performance measurement. The sum of all performance payments will not

exceed the total funds awarded to the project. Recipients will also be able to receive start-up funds that are phased throughout the life of the project (see subsection (15)(a) of this section for details on start-up fund disbursement).

(18) **Can the price per trip be adjusted?** Multi-year projects and basic projects seeking a renewal may apply for an adjustment to the trip price and/or their goal at the end of each biennium. Adjustments to trip price and goal for the project will be subject to review and approval by WSDOT. Payments for multi-year projects are contingent upon the provision of legislative funding in future biennia.

(19) **What happens if a project does not perform?** All projects are subject to termination if the project is not performing according to expectations or is not continuing to work towards the reduction of commute trips. Projects must reduce trips to be eligible for any performance funds.

(20) **How are projects that overlap treated?** No applicant may claim full reduction in employee commute vehicle trips or commute VMT that are claimed as part of another project. WSDOT will make an initial screening of awarded projects to determine whether projects overlap. If WSDOT finds that projects being considered for selection are likely to overlap, WSDOT will notify the applicants, and will provide them with the opportunity to adjust their trip prices and goals. If projects are selected that overlap, WSDOT will ask the applicants to propose a solution to the overlap. If a solution cannot be agreed upon by the applicants, WSDOT will adjust the payments for areas where it can determine overlap occurs, by dividing the amount per trip by the number of TRPP projects involved in the overlap. WSDOT will use the lower price per trip in the overlapped projects to calculate payment.

(21) **Performance documentation:** The applicant must, as part of the TRPP application, describe how the project will measure performance. WSDOT will make measurement instruments available to the project. The applicant may propose alternative ways to measure the project, but must provide a description of the alternative as part of the application. Use of any measurement instrument is subject to approval by WSDOT. WSDOT will incorporate language describing the project's measurement into the contract documents for the project. WSDOT will calculate the reduction in commute vehicle trips for the project, along with any credit for reduction in vehicle miles traveled. At its discretion, WSDOT may make software available to TRPP recipients to calculate the reductions directly.

WSR 08-03-137 PROPOSED RULES WASHINGTON STATE UNIVERSITY

[Filed January 23, 2008, 9:17 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 07-01-063.

Title of Rule and Other Identifying Information:
Amendment of chapter 504-15 WAC, Campus traffic and parking regulations.

Proposed

Hearing Location(s): Washington State University, Lighty Room 403, Pullman, Washington, on February 28, 2008, at 4:00 p.m.

Date of Intended Adoption: March 21, 2008.

Submit Written Comments to: Ralph T. Jenks, Director and University Rules Coordinator, Office of Procedures, Records, and Forms, P.O. Box 641225, Pullman, WA 99164-1225, e-mail Jenks@wsu.edu, fax (509) 335-3969, by February 28, 2008.

Assistance for Persons with Disabilities: Contact Linda Nelson by February 22, 2008, (509) 335-3928.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: To update and clarify the campus traffic and parking regulations.

Reasons Supporting Proposal: Amendments are necessary to update and clarify regulations.

Statutory Authority for Adoption: RCW 28B.30.150.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Washington State University, public.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: John A. Shaheen, Director, WSU Parking, Transportation and Visitor Center, Parking and Transportation Services, (509) 335-4911.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The rule has no impact on small business.

A cost-benefit analysis is not required under RCW 34.05.328. The university does not consider this rule to be a significant legislative rule.

January 23, 2008

Ralph T. Jenks, Director
Procedures, Records, and Forms and
University Rules Coordinator

Chapter 504-15 WAC

CAMPUS ((TRAFFIC)) PARKING AND ((PARKING)) TRAFFIC REGULATIONS

AMENDATORY SECTION (Amending Order 90-1, filed 5/16/90, effective 7/1/90)

WAC 504-15-010 Authorization. Pursuant to the authority granted by RCW 28B.30.125, 28B.30.150, 28B.10.560, and chapter 34.05 RCW, the board of regents of ((Washington State University establishes the following regulations)) the university adopts this chapter to govern parking and traffic on the Pullman campus.

AMENDATORY SECTION (Amending Order 90-1, filed 5/16/90, effective 7/1/90)

WAC 504-15-020 Purposes of regulations. (1) The purposes of these regulations are to:

((1)) (a) Expedite university business and provide maximum safety, order, and ((conveniency)) access;

((2)) (b) Regulate parking, with priority given to:

((a)) (i) Services of the university;

((b)) (ii) Persons who ((need)) require the use of vehicles in connection with their on-campus work; and

((e)) (iii) Staff and students who ((need)) require the use of private vehicles because of a disability or other approved reason; and

((3)) (c) Provide and maintain suitable campus parking and ((traffic facilities)) transportation systems.

(2) The vice-president or designee whose responsibilities include supervision of the parking department shall have the authority to designate particular locations as parking, temporary parking, restricted parking, or prohibited parking, as well as the authority to designate permanent and temporary areas as being closed to vehicular traffic.

AMENDATORY SECTION (Amending Order 90-1, filed 5/16/90, effective 7/1/90)

WAC 504-15-030 Knowledge of parking regulations.

It is the responsibility of all individuals parking on the campus to read and fully understand these regulations. Lack of knowledge of these regulations ((will)) is not ((be accepted)) acceptable as grounds for dismissal of ((citations)) parking tickets.

AMENDATORY SECTION (Amending Order 90-1, filed 5/16/90, effective 7/1/90)

WAC 504-15-040 Applicable parking and traffic laws and regulations. The following laws and regulations apply upon ((state)) lands owned and/or controlled by ((Washington State University—Pullman)) the university Pullman campus:

(1) The motor vehicle and other traffic laws of the state of Washington (Revised Code of Washington); and

(2) ((The Washington State University parking and traffic regulations.)) Chapter 504-15 of the Washington Administrative Code.

AMENDATORY SECTION (Amending Order 90-1, filed 5/16/90, effective 7/1/90)

WAC 504-15-050 Emergencies. The president of ((Washington State)) the university shall have authority to suspend, modify, or repeal any or all provisions in this chapter in the event of an emergency, disaster, or other like contingency. Such action shall be limited in duration and scope ((to meeting the dangers of the contingency)) based on the incident.

AMENDATORY SECTION (Amending WSR 02-14-071, filed 6/28/02, effective 7/29/02)

WAC 504-15-100 Definitions. The definitions in this section are applicable within the context of ((these regulations)) this chapter.

(1) Campus. Describes all property owned, leased, and/or controlled by ((Washington State University in)) the university Pullman campus which is or may hereafter be dedicated mainly to the educational, research, housing, recreational, parking, or other activities of ((Washington State University)) the university.

(2) Commuter student. Any student who does not live in a university residence hall (dormitory). All students living in fraternities, sororities, university-owned housing (other than residence halls), and private housing are considered to be commuter students.

(3) Day. Unless otherwise specified, the term "day" refers to a calendar day.

(4) Disability parking. See persons with disability.

(5) Disability zone. A parking zone designated for exclusive use by persons with disability and identified with a sign bearing the associated international ((disability)) symbol ((that is restricted at all times to use by vehicles bearing a valid WSU disability parking permit or indicator, or any state issued disability parking permit)).

((4) Dormitory. See residence hall.)

((5)) (6) Fire zone. An area needed for emergency access to buildings, fire hydrants, or fire equipment. Such areas include, but are not limited to, areas with adjacent curbs or rails painted red.

((6)) (7) Gate card. A plastic card that activates the gates controlling access to certain parking areas.

((7)) (8) Holiday ((or university holiday. A day when all university facilities are generally closed (e.g., Thanksgiving Day, Christmas Day, New Year's Day). Vacation days are not considered holidays. See definition of vacation)). See university holiday.

((8) Housing area. Housing units or apartments, and their respective parking areas, that are owned by the university, but are not included as residence halls.)

(9) Illegal use of permit. A parking violation in which a ((citation)) parking ticket is issued under the following circumstances:

(a) Use of a parking permit(()) or indicator on ((an unspecified vehicle)) a vehicle other than the specified vehicle identified by a license plate number on the permit.

(b) Use of a parking permit(()) or indicator obtained under false pretenses.

(c) Use of a modified parking permit(()) or indicator.

(d) Use and/or retention of a parking permit(()) or indicator by person(s) ineligible, or no longer eligible, for such a permit as described and authorized in this chapter.

(10) Impound. To take and hold a vehicle in legal custody by use of a wheel lock and/or towing.

(11) Indicator. A decal or hanger displayed adjacent to a parking permit which ((more clearly)) defines ((the)) additional parking areas available to a permit holder.

((11)) (12) Loading zone. A loading dock, or an area signed "loading zone" adjacent to a facility, in a parking area, or near a residence hall. Such an area is intended for loading and unloading bulky or voluminous material. Loading zones are restricted at all times unless signed otherwise.

((12)) (13) Moped. Any two-wheeled or three-wheeled motor vehicle with an engine displacement of 50 cc or less.

((13)) (14) Motorcycle. Any two-wheeled or three-wheeled motor vehicle with an engine displacement greater than 50 cc.

((14)) (15) Motor vehicle. All motor-driven conveyances except wheelchairs. Also referred to as "vehicle" in this chapter.

((+5)) (16) No parking zone. Any area not specifically marked and/or signed for parking. Such areas include, but are not limited to, areas with adjacent curbs or rails painted yellow.

((+6)) (17) Officer. Any parking or police official employed by the university who is designated by the parking administrator or chief of police to issue parking tickets, to place and remove wheel locks, or to cause vehicles to be towed under this chapter.

(18) Owner. The person registered with any state as the present owner of a vehicle in the most current registration records available to the university, the owner's expressed representative, or any transferee not designated in such records, provided that the parking administrator or chief of police has received actual written notice of the transfer.

(19) Park/parking. This refers to the placement or standing of a vehicle, with or without a driver in attendance, and with or without the engine running.

((+7)) (20) Parking administrator. The manager in charge of the parking department or designee.

(21) Parking appeals committee. Any person or persons appointed to consider parking violations and the application of fees, fines, and sanctions. Said person or persons are appointed by the vice-president whose responsibilities include supervision of the parking department or designee.

(22) Parking department. The university department which is charged with the responsibility of managing, operating, planning, and maintaining parking facilities; enforcing the parking regulations; and coordinating commute trip reduction efforts for the Pullman campus.

(23) Parking meter. A single fixed device that typically requires payment and limits the amount of time a vehicle can park in a single space. Also referred to as "meter" in this chapter. A parking meter is not a parking payment device.

(24) Parking payment device. A machine that requires payment and vends a parking permit and/or a paid receipt. Parking payment devices may be located in various places on the campus. A parking payment device is not a parking meter.

(25) Parking permit. A vinyl, plastic, ((or)) paper, or other instrument sanctioned by the parking ((services)) department that is displayed from a vehicle, and authorizes parking in specified areas. Also referred to as "permit" in this chapter.

((+8)) (26) Parking ticket. The first notice of a parking violation which is usually placed in a visible location on a motor vehicle.

(27) Pay parking facility. A location where parking is provided and payment is made on-site via a parking payment device, cashier, or other means other than a parking meter.

(28) Pedestrian mall. A space that is designed primarily for pedestrian use, but with limited authorized use of motor vehicle and other motorized and nonmotorized conveyances. These restricted areas are depicted on the Pullman campus map and/or with signing at the entrances to the pedestrian mall areas.

(29) Persons with disability. For the purpose of this chapter, persons with disability shall refer to a person or persons with disability or disabilities who qualify for a state-

issued persons with disability parking identification and permit.

(30) Resident priority zone. A parking area close to a residence hall (i.e., crimson zone or gray zone) that is typically limited to use by resident students.

(31) Resident student. A student ((living)) with a current valid residence hall contract, who lives in a residence hall.

((+9)) (32) Residence hall. Residence halls include, but are not limited to, the following: ((Streit Hall, Perham Hall, Regents Hall, Scott Hall, Coman Hall, Wilmer Hall, Davis Hall, Duncan-Dunn Hall, Community Hall, Stevens Hall, McCroskey Hall, Gannon Hall, Goldsworthy Hall, McEachern Hall, Orton Hall, Rogers Hall, Stephenson Complex, Stimson Hall, Waller Hall, Kruegel McAllister Hall, and Honors Hall)) Coman Hall, Community Hall, Davis Hall, Duncan-Dunn Hall, Gannon Hall, Goldsworthy Hall, Honors Hall, McCroskey Hall, McEachern Hall, Orton Hall, Perham Hall, Regents Hall, Rogers Hall, Scott Hall, Stephenson Complex, Stevens Hall, Stimson Hall, Streit Hall, Waller Hall, and Wilmer Hall.

((+20)) (33) Service vehicle. A vehicle used to provide a service for the university or a tenant or contractor of the university (e.g., a university owned vehicle or a privately owned vehicle with a valid service ((permit)) vehicle authorization displayed).

((+21)) (34) Service zone. Parking spaces or area designated for the use of ((university)) service vehicles, other government-owned vehicles, and vehicles displaying a service indicator or commercial permit. Authorized vehicles may park in these zones on an occasional basis for a maximum of fifteen minutes, except for vehicles that display a commercial permit, or a service indicator issued for an extended time. Service zones are restricted at all times unless signed otherwise.

((+22)) ~~Resident priority zone (i.e., crimson zone, gray zone)~~. A parking area close to a residence hall. Parking in these areas is assigned to resident students by residence life personnel, and/or residence hall officers.

((+23)) (35) Staff. For the purposes of these regulations, "staff" includes all ((faculty, classified staff, administrative and professional employees, temporary employees, and other support personnel employed by the university,)) nonstudent employees of the university and the ((personnel)) nonstudent employees of other ((activities)) entities located on, or regularly doing business on campus. Teaching assistants, research assistants, and other students employed by the university, or other entities located on, or regularly doing business on campus, are not "staff." They are considered ((as)) to be students for the purpose of these ((rules)) regulations.

((+24)) (36) Standing. "Standing" is the stopping of a vehicle with the driver remaining in it.

(37) Storage of a vehicle. Impounded vehicles are held in storage until released. During such time they are subject to storage fees.

(38) Student. ((Any person who has been admitted to the university, and who is either attending classes, or actively pursuing a degree or certificate.)) The term "student" includes all persons who are not staff who are taking courses at the university, enrolled full-time or part-time, pursuing

undergraduate, graduate, professional studies, or auditing one or more classes.

((25)) (39) Summer session. The summer session includes all summer ((school)) sessions beginning on the first day of the earliest session, and ending on the last day of the latest session.

((26)) (40) University. Refers to Washington State University.

(41) University holiday. ((See)) A day regarded by the university as an official university holiday.

((27)) (42) University-owned housing. Housing units or apartments, and their respective parking areas, that are owned by the university, but are not included as residence halls. Occupants of university-owned housing are eligible for housing parking permits issued by the university.

(43) Unpaid. A full or partial outstanding balance due. This definition includes parking tickets which are pending appeal.

(44) Vacation. A period of time when classes or final exams are not in session. Except for holidays that fall within this period, the business offices of the university are open during this time.

((28)) Vehicle. See motor vehicle.

((29)) (45) Visitors. Persons who are not staff or students and who only visit the campus on an occasional basis.

((30)) (46) Wheel lock. A device used to temporarily immobilize a motor vehicle ((i.e., on the spot impoundment)). Wheel locked vehicles are considered to be impounded in place and subject to storage fees.

(47) Wheel lock-eligible list. The current list of wheel lock-eligible vehicles as maintained by the parking department. A vehicle remains on the wheel lock-eligible list until all fines and fees related to parking tickets are paid in full or otherwise resolved to include the payment of fines and fees related to parking tickets not yet eligible for late fees.

(48) Wheel lock-eligible vehicle. Any vehicle on which three or more parking tickets more than thirty days old are unpaid and which parking tickets were issued during the time the vehicle was registered to or otherwise held by the owner. The vehicle remains wheel lock-eligible until all fines and fees related to parking tickets are paid in full or otherwise resolved to include the payment of fines and fees related to parking tickets not yet eligible for late fees.

AMENDATORY SECTION (Amending WSR 02-14-071, filed 6/28/02, effective 7/29/02)

WAC 504-15-200 Enforcement authority. ((Parking services)) The parking department and the university police department are charged with the impartial enforcement of these regulations. ((Enforcement personnel)) Officers of these departments have authority to issue parking ((itations)) tickets, to impound vehicles, and to control access to areas.

AMENDATORY SECTION (Amending WSR 02-14-071, filed 6/28/02, effective 7/29/02)

WAC 504-15-210 Times of enforcement. Parking regulations are subject to enforcement at all times.

(1) Parking permit areas((:)). All parking permit zones are limited to authorized permit holders during specific hours. These hours are posted in each parking ((zone either)) area at the entrance to parking areas, or along roadways where parking is marked. ((Restricted spaces are enforced at all times. See subsection (4) of this section, special conditions.))

(2) Restricted spaces((:)). These spaces are restricted for their designated purpose at all times ((twenty four hours a day, seven days a week))) unless signed otherwise:

- (a) Disability zones.
- (b) Load/unload.
- (c) Service.
- (d) Reserved.
- (e) Reserved (bagged) parking meters.
- (f) ((Specially signed) Pedestrian mall.

(g) Areas which are specially signed or physically set apart by barricades, traffic cones, tape, or other traffic devices.

(3) Parking metered spaces((:)). Parking meters are in effect during the times posted on each meter. During these times the meter must be paid the posted amount. Additional time cannot be purchased beyond the meter's posted maximum time limit (e.g., a two-hour meter ((will)) allows a maximum of two hours to be purchased at one time). A motor vehicle which is parked at an expired meter is considered in violation initially, and after each period equal to the maximum time posted for the meter. In such case a parking ticket may be issued for each violation. For example, a vehicle parked at a meter with a two-hour maximum time limit for six hours and five minutes of CONTINUOUS unpaid parking at the same meter would be eligible for up to three parking tickets.

(4) Special conditions((:)). The parking regulations are enforced every day, twenty-four hours a day. During certain times the following special conditions exist, and the regulations are modified.

- (a) Crimson permit zones.

(i) Permits are not required in crimson zones at the start of each semester from the Monday of the week prior to the first day of class through the fifth day of class.

(ii) Crimson, orange, and green permits are valid in crimson zones during summer session, vacation periods, and between semesters.

(iii) Temporary one-hour parking zones may be established in portions of the crimson zones during finals week and at the start of each semester to accommodate moving into and moving out of residence halls.

- (b) Gray permit zones.

(i) Permits are not required in gray zones at the start of each semester from the Monday of the week prior to the first day of class through the fifth day of class, during vacation periods, and between semesters.

(ii) During summer session, gray zones are open to all valid ((WSU)) university parking permits, except blue permits and housing parking permits.

(iii) Temporary one-hour parking zones may be established in portions of the gray zones during finals week and at the start of each semester to accommodate moving into and moving out of residence halls.

(c) Blue permit zones. Permits are not required in blue zones at the start of each semester from the Monday of the week prior to the first day of class through the fifth day of class, during finals week, vacation periods, and between semesters.

(d) University-owned housing areas. Permits are not required in university-owned housing areas at the start of each semester from the Monday of the week prior to the first day of class through the fifth day of class, and during finals week.

(e) Summer business hours. During the period when the university is ((officially)) on official summer business hours, all metered spaces and permit areas which are not restricted ((will be)) are open parking after 4:00 p.m. ((This period varies from year to year, and does not include periods when individual departments change their business hours outside the university's)) Official summer business hours are posted on the human resource services department web site throughout the summer.

(5) Pay parking facilities((:)). Some ((nonmetered)) parking areas ((are provided for)) provide parking on an hourly basis. Hours of operation and a schedule of fees are posted at the facility entrance and at the point of payment. Parking ((violations)) tickets are issued to vehicles that are parked over the duration of time that was paid and for non-payment. Parking areas with parking meters are not considered pay parking facilities.

AMENDATORY SECTION (Amending Order 90-1, filed 5/16/90, effective 7/1/90)

WAC 504-15-220 Signed and marked areas. (1) Parking on campus is permitted only in the marked and/or signed spaces in ((areas)) parking facilities and on streets. All other areas outside these designated areas are "no parking zones." Each parking ((area)) facility has signs or markings to indicate the type of permit or ((permits)) payment required, and the times they are required.

(2) Individual parking spaces are marked, and no vehicle may be parked so as to occupy any portion of more than one parking space. The fact that other vehicles were parked in a manner requiring a vehicle to occupy a portion of more than one space shall not constitute an excuse for a violation of this ((rule)) regulation.

(3) Standing (the stopping of a vehicle with the driver remaining in it) is permitted in marked parking spaces, except metered spaces and restricted spaces, even though the vehicle does not have a valid parking permit. Double parking while "standing" is not permitted.

(4) Should there be a conflict between these regulations, map designation, and on-site signs regarding parking instructions, the on-site sign takes precedence.

(5) Permit areas and restricted spaces are not always signed individually.

AMENDATORY SECTION (Amending WSR 95-13-003, filed 6/8/95, effective 7/9/95)

WAC 504-15-250 Motorcycles((,) and mopeds((, and bicycles)). (1) The general traffic regulations applicable to motor vehicles apply ((equally)) to motorcycles((, mopeds,

~~and bicycles)) and mopeds.~~ Motorcycles or mopeds may not be driven on sidewalks or in ((the)) pedestrian mall areas. ((Bicycles may be used on sidewalks, though pedestrians always have the right of way.)) Owners of motorcycles and mopeds are responsible for all violations ((including violations)) issued ((even if said vehicle is moved by someone else after being legally parked)).

(2) The university classifies mopeds and motorcycles by engine displacement (also referred to as engine size). This definition applies only to ((parking at the)) university property and does not replace or supersede the definitions established by the state of Washington for licensing ((or traffic)) purposes.

(3) Mopeds((:)). Mopeds may park only in ((the following locations with a valid moped permit:

((a))) a designated moped parking area marked by signs and/or the letters "MP" on the parking surface((:-

((b))); and a bicycle rack unless the rack is signed to exclude mopeds. Mopeds must display a valid university moped permit during posted times. Mopeds may not park in marked motorcycle areas at any time or anywhere within designated pedestrian mall areas.

(4) Motorcycles((:)). Motorcycles may park only in spaces which are marked by signs, or the letter "M" painted on the parking surface. Motorcycles must display a valid ((WSU)) university motorcycle permit during posted times. During all other times, these spaces are restricted to use by motorcycles only. Motorcycles may not park at bicycle racks or in designated moped areas at any time.

AMENDATORY SECTION (Amending Order 90-1, filed 5/16/90, effective 7/1/90)

WAC 504-15-300 Financial responsibility for ((citations)) parking tickets. (1) Each registered parking permit ((registrant)) holder shall be financially responsible for parking ((citations)) tickets on vehicles:

(a) Registered with the parking ((servicees)) department; and/or

(b) Displaying the ((registrant's)) registered parking permit holder's permit.

(2) Owners of vehicles ((will be)) are held ((primarily liable)) ultimately financially responsible for ((citations)) parking tickets issued to their vehicles.

AMENDATORY SECTION (Amending WSR 95-13-003, filed 6/8/95, effective 7/9/95)

WAC 504-15-350 Use of areas for emergency, maintenance, events, construction, or special needs. The university reserves the right to close any campus parking area at any time it is deemed necessary for maintenance, safety, events, construction, or to meet special needs. ((Parking services will)) The parking department provides notice to users when possible.

Public safety and maintenance personnel performing official duties may deviate from these regulations as required to conduct emergency procedures.

AMENDATORY SECTION (Amending Order 90-1, filed 5/16/90, effective 7/1/90)

WAC 504-15-410 Issuance ((and)), use, and term of parking permits. Parking permits are ((available at)) issued by the parking ((services, located in the safety building,)) department for available areas upon application and the payment of the appropriate fees. The applicant ((will)) may receive a parking permit and/or indicator which specifies parking area(s) where the vehicle may be parked. Permits are valid up to and including the expiration date on the permit.

((Temporary parking permits may be obtained from police services when the parking services office is closed.))

Housing area parking permits are issued by the respective apartment housing offices.))

AMENDATORY SECTION (Amending Order 90-1, filed 5/16/90, effective 7/1/90)

WAC 504-15-420 ((Consent to)) Withholding of fines and fees. All parking permit applications shall provide that the university may withhold unpaid fines and fees, when permitted by law, from any sums owed the permit holder and to treat the same as a debt.

AMENDATORY SECTION (Amending Order 90-1, filed 5/16/90, effective 7/1/90)

WAC 504-15-440 ((Term of permit)) Transfer of parking permit. (Permits are valid up to and including the expiration date on the permit.)

The ownership of) A parking permit((s)) is ((generally)) not ((transferrable, but exceptions can be made by parking services provided that the:))

(1) Person relinquishing ownership and the eligible purchaser appear in person at parking services when requesting such a transfer;

(2) Former owner relinquishes all ownership or claim to the permit, and pays all outstanding fines; and

(3) New owner completes a new application form for the permit.

If a replacement permit is requested, the old permit must be removed and presented to parking services to be eligible for a replacement or a refund)) transferable.

AMENDATORY SECTION (Amending WSR 95-13-003, filed 6/8/95, effective 7/9/95)

WAC 504-15-450 Replacement parking permits, indicators, and gate cards. (1) Sold or traded vehicles. Failure to advise the parking ((services)) department of a sale or trade for registration purposes may result in continued responsibility to the permit holder for ((citations)) parking tickets received on ((that permit)) vehicles.

The permit holder has responsibility for removing parking permits prior to selling or trading a vehicle. The identifiable remnants of the original permit must be presented to the parking ((services)) department to receive a free replacement. Persons failing to comply with this requirement shall pay the cost of a new permit.

(2) Lost/stolen permits. Permit holders are responsible for the security of their permits. The theft or loss of a parking permit should be reported to the parking ((services)) department immediately upon discovery. A lost or stolen permit ((will)) may be replaced ((once at no cost, but only if a theft report of the permit has been filed in the appropriate police jurisdiction and verified by parking services. The second time the permit is reported stolen, the replacement fee will be ten dollars; the third time, twenty dollars; and thereafter, the original cost of the stolen permit. A lost permit will be replaced once for ten dollars; the second time, twenty dollars; and thereafter at the original cost of the permit)) upon payment to the parking department of the cost of replacing the permit, according to a schedule adopted by the parking department. Lost((or)) stolen permits must be returned to the parking ((services office)) department immediately if recovered.

(3) Windshield replacements. When a permit-bearing windshield is replaced, the permit replacement fee ((will be)) is waived if proof of windshield replacement is presented.

(4) Gate card replacement. A lost, stolen, or damaged gate card ((will be)) is replaced ((for five dollars)) upon payment to the parking department of the cost of replacing the gate card, according to a schedule adopted by the parking department.

AMENDATORY SECTION (Amending WSR 02-14-071, filed 6/28/02, effective 7/29/02)

WAC 504-15-460 False information. No person shall obtain, attempt to obtain, or use in a manner contrary to these regulations, a modified parking permit or a permit issued upon false information. A violation of this section includes giving a false name, address, ((Social Security)) identification number, and/or other information known to be false. It also includes the ((mere)) use of a visitor, conference, and commercial permit by staff or students. Violation of this provision shall constitute the illegal use of a parking permit, and ((will be)) is subject to ((citation and fine)) issuance of a parking ticket.

AMENDATORY SECTION (Amending WSR 95-13-003, filed 6/8/95, effective 7/9/95)

WAC 504-15-470 Recall of parking permits and gate cards. Parking permits are the property of the university and may be recalled by the parking ((manager)) administrator when:

(1) The purpose for which the permit or gate card was issued changes or no longer exists (e.g., a person who no longer lives in a residence hall would be required to ((hand over)) return their gray permit for refund or credit toward an appropriate permit);

(2) A permit or gate card is used on an unauthorized vehicle or by an unauthorized person;

(3) A parking permit application is falsified;

(4) A counterfeit, modified, lost/stolen permit or gate card is used; or

(5) The parking permit fee is unpaid.

AMENDATORY SECTION (Amending Order 90-1, filed 5/16/90, effective 7/1/90)

WAC 504-15-510 Parking permits—General. The university ((will)) issues parking permits for designated areas of the campus. Any vehicle parked on ((university property, other than a pay area or metered space)) the campus must clearly display a ((current university)) valid university parking permit ((for a given area)) in accordance with this chapter during the posted hours and in locations when and where permits are required. University staff and students may not use any other permit in lieu of a valid university parking permit or valid university housing parking permit.

AMENDATORY SECTION (Amending Order 90-1, filed 5/16/90, effective 7/1/90)

WAC 504-15-520 Parking permits—Form and display. All parking permits must be displayed in the approved position on the vehicle with permit numbers and relevant dates visible. Vehicles with permits which are not displayed in accordance with the provisions of this section ((are not valid, and vehicles displaying them improperly)) are subject to ((citation)) parking tickets for the violation of improperly displaying a permit.

(1) Autos and trucks:

(a) Hanging permits, both annual and ((temporary)) daily, must be displayed hanging from the rear-view mirror post.

(b) ((Transferable cards)) Permits mounted solely by suction cup and ((affixed)) permit decals directly affixed to the windshield must be displayed on the front windshield at the lower left corner (driver's side). Decals must be mounted completely by means of their own adhesive (not by tape).

(2) Motorcycles and mopeds((:)). Motorcycles and moped permits must be mounted completely by means of their own adhesive and prominently displayed on the left rear side of the vehicle or on top of the rear tail light.

AMENDATORY SECTION (Amending WSR 02-14-071, filed 6/28/02, effective 7/29/02)

WAC 504-15-540 Zone parking permits—Availability and use. The management and assignment of parking zones is designed to provide a ((reliable)) parking space to each permit holder((s)). However, uncontrolled access to parking areas and unexpected parking demand make it impossible to guarantee a parking space in a permit holder's assigned zone. Every effort ((will be)) is made via surveys and limits on permit sales, to ensure that permit holders are not displaced from their assigned zones. The only exception to this ((will be)) is that the sale of blue permits ((will)) is not ((be)) limited.

Staff and students are generally assigned to specific parking areas, ((called)) referred to as zones. Parking zones are color-coded with respect to their price and numbered with respect to the specific parking ((area)) zone assignment of each permit holder. Permit holders may park in their assigned zone as reflected by the combination of color and number on their permit and corresponding sign, or they may park in other zones as described below.

(1) Orange permits((:)). Orange permit holders may park in their numerically assigned orange zone, or in any green, yellow, red, or blue zone. These permits may be made available on a ((temporary)) daily basis ((during the summer session)).

(2) Green permits((:)). Green permit holders may park in their numerically assigned green zone, or in any yellow, red, or blue zone. These permits may be made available on a ((temporary)) daily basis ((during the summer session)).

(3) Yellow permits((:)). Yellow permit holders may park in their numerically assigned yellow zone, or in any red or blue zone. These permits may be made available on a ((temporary)) daily basis.

(4) Red permits((:)). Red permit holders may park in their numerically assigned red zone or in any blue zone. These permits may be made available on a ((temporary)) daily basis.

(5) Crimson permits. Crimson permit holders may park in their numerically assigned crimson zone, or in the numerically corresponding gray zone (e.g., a crimson 1 permit is valid in the gray 1 zone, but not in the gray 2 zone), or in any blue zone. Crimson permit holders must turn in their crimson permit for a refund or credit toward another permit, if applicable, immediately upon moving out of the residence hall. Only resident students are eligible for crimson permits.

(6) Gray permits((:)). Gray permit holders may park in their numerically assigned gray zone, or in any blue zone. These permits may be made available on a ((temporary)) daily basis. Gray permit holders must turn in their gray permit for refund or credit toward another permit, if applicable, immediately upon moving out of a residence hall. Only resident students are eligible for gray permits.

((6))) (7) Blue permits (peripheral parking)((:)). Blue permit holders may park in any blue zone. These permits ((are)) may be made available on a ((temporary)) daily basis.

((7)) Crimson permits. Crimson permit holders may park in their numerically assigned crimson zone, or in the numerically corresponding gray zone (e.g., a crimson 1 permit is valid in the gray 1 zone, but not in the gray 2 zone), or in any blue zone. Crimson permit holders must turn in their crimson permit for a refund or credit toward another permit, if applicable, immediately upon moving out of the residence hall. Only resident students are eligible for crimson permits.)

AMENDATORY SECTION (Amending WSR 95-13-003, filed 6/8/95, effective 7/9/95)

WAC 504-15-560 Other parking permits—Availability and use. (1) Visitor permits((:)). Visitor permits are available on an annual or daily basis to visitors of the university. Visitor permits may be used only by bona fide visitors as defined by this chapter. Use by any other person constitutes illegal use of a parking permit. Annual visitor permits are valid in green, yellow, red and blue zones, and parking spaces signed for visitor((s)) permits only. Daily visitor permits may be assigned to specific zones on a space-available basis. If a parking zone is not specified on the permit, it is valid in the same parking areas as an annual visitor permit. Visitor permits are not valid in pay ((lots)) parking facilities, parking meters, or restricted spaces.

(2) Golden cougar permits((:)). Golden cougar permits are special visitor permits that are issued to retired ((faculty and)) staff ((free of charge)) in recognition of their service without additional cost. They are issued on an annual basis and are valid in green, yellow, red, blue zones, and visitor-permit-only parking spaces. ((Faculty and)) Staff who ((remain regularly)) are employed by the university or by other entities located on campus after formal retirement are not eligible to use a golden cougar permit in lieu of a regular paid zone permit.

(3) President's associates decals((:)). President's associates decals are issued to eligible members of ((WSU)) the Washington State University foundation. They are valid in green, yellow, red, blue zones, and visitor-permit-only parking spaces. However, ((WSU)) university faculty, staff, and students may not use a president's associates decal in lieu of a paid zone permit.

(4) Conference permits((:)). Conference permits are available to visitors who participate in conferences held on the university campus. They are available on a daily basis only. Conference permits may be assigned to specific zones on a space-available basis. If a parking zone is not specified on the permit, it is valid in green, yellow, red, blue zones, and visitor-permit-only parking spaces. Conference permits are not valid in orange zones, pay parking facilities, parking meters, or restricted spaces.

(5) Motorcycle permits((:)). Motorcycle permits are valid within boundaries of areas specifically posted and/or marked for motorcycle permits. Motorcycle permits are available on an annual and daily basis.

(6) Moped permits((:)). Moped permits are valid within boundaries of areas specifically posted and/or marked for moped permits. Moped permits are available on an annual and daily basis.

(7) Commercial permits((:)). Commercial permits are issued to vendors, suppliers, and service representatives of outside companies performing a service for the university. Commercial permits are available on an annual or daily basis. Annual commercial permits are valid in service zones, parking meters, and green, yellow, red and blue zones, and visitor-permit-only parking spaces ((signed for visitors only)). Daily commercial permits may be assigned to specific zones on a space-available basis. ((If a parking zone is not specified on the permit, it is valid in the same parking areas as an annual commercial permit.)) Commercial permits are not valid in orange zones((:)) or pay ((lots, or other restricted spaces)) parking facilities.

(8) Construction permits((:)). A construction permit is issued to personnel who are working on a construction site on campus. Construction permits are available on an annual or daily basis and are assigned to a specific parking area.

(9) Housing permits((:)). A housing permit is issued to eligible residents of university ((apartments))-owned housing. Housing permits are valid only in specific housing parking areas.

(10) Carpool((:)). Upon ((completion of)) application, a bona fide carpool((s)) with four or more participants ((will be)) is given preference in the assignment of parking zones, and ((will be)) issued a permit ((instrument)) that ((will)) facilitates the carpool. ((This includes access to no more than

two zones of the same fee level. If the carpool requires access to zones of various fee rates, the highest fee rate will be charged for use of the carpool permit.)) Obtaining or using a carpool permit under false pretenses constitutes the illegal use of a permit.

(11) Departmental permits. Departmental parking permits are available for use by department employees who need to use their personal vehicles for university business. Departmental permits are available in different forms and are valid at parking meters; service zones; orange, green, yellow, red, blue, crimson, and gray permit zones; and pay parking facilities. Departmental permits are not valid in reserved spaces. The use of departmental permits for anything other than official departmental business is prohibited by the State Ethics Act.

AMENDATORY SECTION (Amending WSR 02-14-071, filed 6/28/02, effective 7/29/02)

WAC 504-15-580 Special indicator decals((:)) and hangers. Special indicator decals or hangers may be issued to staff and student permit holders who have otherwise valid parking permits in the following cases:

(1) A "service" indicator decal((s)) or hanger((s which are)) is valid typically for a maximum of fifteen minutes in a marked service zone. A ((separate)) "mall service" indicator ((allows)) is valid typically for a maximum of fifteen-minute parking in the pedestrian malls. These are available to staff or students who must use a private vehicle for university business. They are issued on an annual or daily basis ((after)) upon the approval of the parking ((manager)) administrator or his/her designee.

(2) A "night parking" indicator decal((s)) or hanger((s which are)) is valid in ((parking)) permit zones up to thirty minutes after the permit enforcement times for the zone begin, and thirty minutes before the permit times for the zone end. For example, if permits are required in a ((parking)) permit zone from 7:00 a.m. to 5:00 p.m., the night parking indicator is valid in that zone from 4:30 p.m. until 7:30 a.m. Night parking indicators are not valid at any time in orange zones, crimson zones, gray zones, parking meter spaces, pay parking facilities, restricted spaces, or ((parking)) permit zones that require a parking permit at all times.

(3) Reserved parking indicator decals((:)) and hangers which are valid in parking spaces that are signed for the corresponding permit and indicator.

AMENDATORY SECTION (Amending WSR 02-14-071, filed 6/28/02, effective 7/29/02)

WAC 504-15-600 ((Disability permits.)) Parking permits for persons with disability. ((The university and parking services strongly supports the provision of disability parking spaces at a reasonable proximity to campus buildings for people of disability.))

There are two types of disability permits:

(1) Permanent physical disability. An annual disability permit is available to permanently disabled university employees and students at the established fee. Holders of annual permits may park in orange, green, yellow, red, crimson, gray, and blue zones, and metered spaces. They may not

~~park in service zones or reserved spaces. The fee for an annual disability permit is equal to the blue zone fee. Payment of regular posted fees is required in pay lots.~~

(2) ~~Temporary physical disability. Temporary disability permits will be issued to temporarily disabled staff and students for a maximum of six weeks, although they may be renewed.~~

~~Employees and students must obtain a temporary disability form from parking services. These disabled parking privileges will be granted only after submission of the form that shows the applicant meets established physical limitations. The form must be completed by a health care provider. Parking services will not accept substitute forms or letters.)~~

(1) The provisions of this chapter cover the purchase and display of parking permits and the payment of fees and fines associated with parking for persons with disability.

(2) For the purpose of this chapter, persons with disability shall refer to a person or persons with disability who qualify for a state-issued persons with disability parking identification and permit.

(3) The university uses the state persons with disability parking permit system to determine eligibility for a university persons with disability parking permit. Persons desiring to purchase a university persons with disability parking permit must present a valid state-issued persons with disability parking identification and permit.

(4) Unless otherwise authorized, parking in spaces designated for persons with disability requires a valid university persons with disability parking permit to park on campus. University parking permits for persons with disability are available at the blue zone rate.

(5) Persons with a university persons with disability parking permit may park in a persons with disability parking space and any other, nonrestricted permit space within a parking permit zone.

(6) Persons with a university persons with disability parking permit may not park in restricted spaces with the exception of persons with disability parking spaces.

(7) Unless otherwise posted, any university parking permit to include a persons with disability parking permit is not valid in lieu of payment of regular posted fees in pay parking facilities.

(8) A state-issued persons with disability license plate, placard or permit is valid in lieu of a university persons with disability parking permit in parking zones during times when a university permit is not required.

(9) The university intends to retain control of access to the pedestrian malls on campus. For that reason a university persons with disability parking permit is required in lieu of a state-issued persons with disability license plate, placard, or permit as authorization to use a pedestrian mall to access marked persons with disability parking spaces within the confines of a pedestrian mall.

AMENDATORY SECTION (Amending WSR 02-14-071, filed 6/28/02, effective 7/29/02)

WAC 504-15-650 ((Permit)) Parking fees and fines.

(1) Schedules for parking fees, parking administrative fees, late payment fees, parking fines and sanctions, parking meter

rates, prorate and refund schedules, and the effective date thereof ((will be)) are submitted to the president or his/her designee and to the board of regents for approval by motion, provided, however, that ((fees associated with parking at the student recreational center, (SRC) including refunds of fees, will)) increases in fees and fines do not exceed limits established by the board of regents. Increases in fees and fines that do not exceed limits established by the board of regents are not ((be)) submitted to the board of regents so long as the board of regents has delegated authority to the president or his designee to approve all such fees and fines. The schedules described above for all parking fees((, parking administrative fees, meter rates, prorate and refund schedules, including those for the SRC, will)) and fines are thereafter ((be)) posted in the public area of the parking ((services)) department office((, filed with the university rules coordinator,)) and posted on the parking ((services)) department's web site.

(2) Payments((:)). Parking fees and fines may be paid at the parking ((services)) department by cash, check, approved payment card, or money order. A payroll deduction plan is available for ((permanent)) eligible university employees and eligible graduate students ((during the fall semester only)).

(3) The annual fee for any shorter period relative to all permits shall be prorated according to the published schedule.

(4) The proper fee must be paid for all vehicles parked in ((metered areas)) parking meter spaces unless otherwise authorized.

(5) Staff members whose work schedules qualify them for ((night time)) nighttime differential pay may purchase a permit for one-half the regular fee. Verification ((will be)) is required.

(6) Refunds((:)). Annual permits being relinquished may be returned to the parking ((services)) department for a pro rata refund in accordance with university policy. Identifiable remnants of the permit must be returned. ((Provision of the permit holder's copy of the permit receipt will facilitate the refund process. A minimum ten dollar service charge will be retained by parking services. Further,)) The balance of any fees and fines owed the parking ((services will be)) department is deducted from any refund due. Refunds for temporary permits ((will)) are not ((be)) granted. Refunds for pre-tax payroll deductions cannot be granted pursuant to federal tax laws.

(7) The parking department makes a wide array of options available in advance to university departments for use by their visitors, guests, and employees for the purpose of conducting departmental business. However, when necessary, university departments that can establish in writing that a parking ticket issued by the parking department was received as a result of parking any vehicle for the purpose of conducting official state business, or while conducting official business with the university or an entity located at the university are assessed a parking fee assessment (PFA) in lieu of the parking fine. Such requests for PFAs are signed by a department fiscal custodian. A PFA consists of the maximum daily parking fee plus an additional administrative fee for failing to purchase and provide the necessary parking permit or fee in advance or at the time of parking. University departments are encouraged to avoid additional administrative fees associated with PFAs by purchasing and storing pre-

paid parking permits and by making them available as the department deems necessary. Nothing in this regulation allows a university employee to receive, or attempt to receive, any benefit associated with his or her personal expenses in violation of the State Ethics Act. All questionable employee conduct regarding the application of this section is reported to, and investigated by, the university internal auditor. This section applies only to parking tickets issued pursuant to this chapter.

AMENDATORY SECTION (Amending WSR 95-13-003, filed 6/8/95, effective 7/9/95)

WAC 504-15-750 ((WSU/UI)) Reciprocal parking agreements. (1) Purpose((:- Washington State University and the University of Idaho have developed a cooperative parking agreement)). The university can enter into reciprocal parking agreements with other universities and Washington State University campuses for the purpose of enhancing the accessibility to ((either)) various campuses for ((faculty,)) staff((;)) and students participating in ((cooperative)) various courses and programs. ((Selected parking permits from each university have been deemed valid in specific parking areas.))

(2) ((University of Idaho permit holders at WSU: The following applies to University of Idaho permit holders who wish to park at Washington State University:

(a) UI gold and retiree permits are valid in WSU green, yellow, red, and blue zones.

(b) UI red permits are valid in WSU yellow, red, and blue zones.

(c) UI blue and silver permits are valid in WSU blue zones.

(d) UI green permits (housing, visitor permits, or vendor permits) are not valid at Washington State University.

(e) UI parking permits are not valid in WSU orange zones, gray zones, or housing areas.

(f) Annual or temporary permits may be available for other parking areas on a space available basis, and for an additional fee.

(3) WSU)) The university faculty, staff, and students assigned to, enrolled at, or who pay fees to ((Washington State)) the university Pullman campus or employees of other ((activities or agencies)) entities located on the Pullman campus must display a ((WSU)) valid university parking permit when parking at ((WSU)) the university. Any attempt by the above personnel to use a ((UI)) parking permit from another university campus in lieu of a ((WSU)) valid university Pullman campus permit may result in a fine for illegal use of a parking permit.

((4)) WSU permit holders at UI: The following applies to Washington State University permit holders who wish to park at the University of Idaho. It is provided for information only, and is subject to change by the UI. WSU permit holders are subject to all UI parking and traffic regulations.

(a) WSU orange, green, and golden cougar permits are valid in UI gold, red, and blue areas.

(b) WSU yellow, red, blue, and gray permits are valid in UI red and blue areas.

(e) WSU housing permits and visitor permits are not valid at the University of Idaho.))

PART IV: FINES, SANCTIONS, AND APPEALS

AMENDATORY SECTION (Amending WSR 02-14-071, filed 6/28/02, effective 7/29/02)

WAC 504-15-810 Violations, fines, and sanctions. (1) Violations and fines((:)). Parking violations ((will be)) are processed by the university. Fines must be paid at the parking ((services)) department or at other authorized locations, by mail, or from the parking department's web site. Schedules for parking violations, fines, and sanctions are posted in the public area of the parking ((services)) department office and on the parking ((services)) department's web site.

(2) Reduction of fines((: Fines for violations in subsection (1)(a) and (b) of this section paid within twenty-four hours will be reduced by one half)).

(a) The fine for "meter violation" and the fine for "over-time in a timed zone" violation are reduced by one-half if paid within twenty-four hours of time of issuance. Eligible violations received on Friday or Saturday can be paid on the following Monday to satisfy the twenty-four hour requirement. Mailed payment of fines must be postmarked within twenty-four hours to receive the one-half reduction. ((If a permit holder of record neglects to display his/her permit and receives a notice of violation for no parking permit, (subsection (1)(c) of this section), that fine will be reduced to five dollars when possession of a valid parking permit for the location is verified by the parking services within twenty-four hours.))

((3))) (b) Visitors((:)). The first violation of the notices ((listed in subsection (1)(c) of this section,)) for "no parking permit"((, and subsection (1)(d) of this section,)) and "no parking permit for this area((;))" issued to a visitor(s are) is considered a warning notice((s)) upon presentation of the parking ticket to the parking ((services office)) department.

((4))) (c) If a permit holder of record neglects to display his or her permit and receives a notice of violation for "no parking permit," a reduced fine is assessed when possession of a valid parking permit for the location is verified by the parking department within twenty-four hours.

(d) Internal policies regarding disposition of parking tickets may be established on approval of the vice-president or designee whose responsibilities include supervision of the parking department, under the advisement of the university's internal auditor.

(3) Inoperable vehicles((:)). It is the owner's responsibility to immediately contact the parking ((services)) department in the event that ((their)) the owner's vehicle becomes inoperable when the vehicle is present on campus.

(4) Payment of parking fines. All parking fines are due upon issuance of a parking ticket. Thirty days after date of issuance of a parking ticket, a late fee shall be added to all unpaid parking fines. For example, a parking ticket issued on May 1 would be assessed a late fee on May 31. Failure to pay the fine and fee assessed for any violation results in referral to the university controller's office for collection. The controller or designee may, if other collection efforts fail, withhold

the amount of the outstanding fines and fees from damage deposits or other funds held for any student in order to secure payment. Where collection efforts are unsuccessful, the controller or designee may notify the registrar to refrain from issuing student transcripts or to withhold permission to reenroll for a subsequent term until outstanding fines and fees are paid. The procedures discussed above are not exclusive, however, and failure by anyone to pay fines and fees may also lead to towing or use of the wheel lock device described in these regulations. Nor are the procedures discussed above a precondition to towing or use of the wheel lock.

(5) Failure to pay fines. Failure to pay a fine or comply with other penalties assessed pursuant to these regulations, and exhausting or failing to exercise appeals provided for in these regulations, may result in the inability to renew a vehicle license through the state pursuant to RCW 46.16.216.

AMENDATORY SECTION (Amending WSR 95-13-003, filed 6/8/95, effective 7/9/95)

WAC 504-15-860 Appeal(s) procedures. The parking ticket represents a determination that a parking violation has been committed and the determination is final unless otherwise provided or appealed as provided in this chapter.

(1) Purpose((of)). The parking appeals ((committee)) process serves ((two)) three primary functions:

(a) To ((assure an impartial evaluation of the circumstances relating to a particular parking violation; and)) hear parking ticket appeals;

(b) To ((aid in the appraisal of parking and traffic problems)) hear appeals of wheel lock eligibility determinations; and

(c) To hear appeals of impoundments.

(2) Procedure((of)). Any person who has received ((notice of)) a parking ((violation)) ticket may appeal the alleged parking violation. ((The appellant may request more information from parking services.)) Appeal of wheel lock eligibility determinations and impoundments are described in WAC 504-15-865 and 504-15-870.

(3) Written parking ticket appeals. The appeal must be in writing and received at the parking ((services in the safety building)) department within ten calendar days ((after receipt of notice of the violation)) of issuance of the parking ticket. Forms for this purpose are available from the parking ((services)) department. The parking appeals committee ((will)) makes an initial decision ((on)) regarding the appeal within twenty calendar days during the academic year and ((forty-five)) within thirty calendar days during the summer months after receipt of the appeal. The committee ((will serve)) provides a brief statement of the reason(s) for its decision ((on)) to the appellant within ten calendar days of the decision.

((3))) (4) Review hearing of initial decision((of)). If the appellant is dissatisfied with the initial decision, ((he/she)) the appellant may request a hearing before a hearing officer or the parking appeals committee. Such request must be made within ten calendar days of ((service of)) the ((notice)) date of the initial parking appeals committee decision. If no such request is received, the initial decision shall be final. During the ((review)) hearing the appellant and representatives of the parking ((services)) department may present and cross-exam-

ine witnesses. The hearing officer or appeals committee shall render a decision in writing and ((serve)) provide appellant with the decision within ((five)) ten calendar days after the ((review)) hearing.

((4))) (5) Appeal to district court((of)). RCW 28B.10.-560 provides that a person who is not satisfied with the final decision of the university may appeal to district court. The application for appeal to district court shall be in writing and must be filed at the parking ((services)) department office ((in the safety building)) within ten calendar days after ((service of written notice of the final decision)) the date of the review hearing. The parking ((services will)) department forwards the documents relating to the appeal to the district court.

PART V: ((TRAFFIC RULES)) **IMPOUNDMENT OF VEHICLES**

NEW SECTION

WAC 504-15-865 General. (1) Pursuant to the provisions of this chapter, an officer shall cause a vehicle to be wheel locked, or towed, or both, if:

(a) The vehicle is on the wheel lock-eligible list; or

(b) The vehicle displays a lost, stolen, or counterfeit parking permit.

(2) Any vehicle may be towed away at owner's/operator's expense if the vehicle:

(a) Has been immobilized by wheel lock for more than twenty-four hours; or

(b) Is illegally parked in a marked tow-away zone; or

(c) Is a hazard or obstruction to vehicular or pedestrian traffic (including, but not limited to, vehicles parked at curbs or rails painted yellow or red or in crosswalks); or

(d) Cannot be immobilized with a wheel lock device; or

(e) Is illegally parked in a disability space.

(3) The driver and/or owner of a towed vehicle shall pay towing and storage expenses.

(4) Any vehicle immobilized by use of the wheel lock device in excess of twenty-four hours is assessed a storage fee for each calendar day or portion thereof, beyond the first twenty-four hours.

(5) The university assumes no responsibility in the event of damages resulting from towing, use of wheel lock devices, storage, or attempts to move a vehicle with a wheel lock device installed.

(6) No vehicle impounded by towing or wheel lock devices shall be released until the following fines are paid in cash or with an approved payment card:

(a) All unpaid parking ticket fines and late fees against said vehicle and any other vehicle registered to the owner;

(b) A wheel lock fee; and

(c) All towing and storage fees.

(7) A person wishing to challenge the validity of any fines or fees imposed under this chapter may appeal such fines or fees as provided in WAC 504-15-860. However, in order to secure release of the vehicle, such person must pay the amount of such fines or fees as a bond which shall be refunded to the extent the appeal is successful.

(8) An accumulation of six unpaid violations during any twelve-month period, exclusive of overtime at parking meter

violations, and overtime in time zone violations, subjects the violator to revocation or denial of parking privileges. Vehicles without permits which accumulate the above number of violations may be prohibited from parking on university property.

NEW SECTION

WAC 504-15-870 Wheel lock-eligible list. (1) The parking administrator shall be responsible for creating and maintaining the wheel lock-eligible list. See definition of "wheel lock-eligible vehicle."

(2) A wheel lock-eligible vehicle shall be placed on the wheel lock-eligible list after notice has been issued as provided in subsection (3) of this section and an appeal of the wheel lock eligibility determination, if requested, under subsection (4) of this section.

(3) At least ten days prior to placing a vehicle on the wheel lock-eligible list, the parking administrator shall mail a notice to the owner. The parking administrator mails the notice to the address stated on the most current registration records available to the university from a state, or any more current address of which the parking administrator or chief of police has actual written notice. The notice is sent by first class United States mail, postage prepaid. The notice shall set forth:

(a) The make and license plate number of the alleged wheel lock-eligible vehicle.

(b) A specified date on which the wheel lock-eligible vehicle is subject to placement on the wheel lock-eligible list.

(c) A list of the three or more alleged unpaid parking tickets, including the parking ticket number, date, time, place of the violation, and the nature of the violation. This list shall include all unpaid parking tickets issued to a particular vehicle to include the payment of fines and fees related to parking tickets not yet eligible.

(d) That the owner may avoid the placement of the vehicle on the wheel lock-eligible list by making payment in full of fines and late fees on all unpaid parking tickets to include the payment of fines and fees related to parking tickets not yet eligible for late fees by the specified date on which the vehicle is subject to placement on the wheel lock-eligible list.

(e) The name, mailing address (and street address if different), and telephone number of the parking department office that may be contacted to appeal the wheel lock eligibility determination. Such an appeal only considers whether an individual vehicle was properly placed on the wheel lock-eligible list and not the merits of an individual parking ticket, which may be addressed pursuant to a separate appeals process described in WAC 504-15-860.

(f) That the vehicle is subject to wheel lock, towing, or both once it is placed on the wheel lock-eligible list.

(g) That all late fees, wheel lock fees, towing, and storage fees shall be payable in full to obtain the release of a vehicle wheel locked or towed pursuant to this chapter in addition to payment of any and all unpaid parking tickets on this vehicle or other vehicles owned by the registered owner to include the payment of fines and fees related to parking tickets not yet eligible for late fees.

(4) If a request for an appeal of a wheel lock eligibility determination is received by the parking administrator before the specified date in the notice for placement of the vehicle on the wheel lock-eligible list, then the parking administrator shall afford the owner an opportunity to appeal the wheel lock eligibility determination prior to the placing of a vehicle on the wheel lock-eligible list. Although the parking administrator shall not have the authority to adjudicate the merits of any parking ticket, she or he shall, however, receive evidence and other input from the owner appealing the wheel lock eligibility determination that the notice given under subsection (3) of this section was erroneous or based on erroneous information.

(5) If an owner timely participates in the appeal as scheduled by the parking administrator, he or she shall furnish the owner written notice of his or her decision prior to placing the vehicle on the wheel lock-eligible list.

(6) After the specified date provided in the notice issued under subsection (3) of this section, the parking administrator shall review the records to ensure that the alleged unpaid parking tickets have not been paid or otherwise resolved, and that no information has been received indicating that the notice was erroneous.

(7) Once a vehicle has been placed on the wheel lock-eligible list, it shall not be removed from the list unless and until:

(a) The fines and fees on all unpaid parking tickets issued during the time it has been registered to or otherwise held by the owner are paid or otherwise resolved to include the payment of fines and fees related to parking tickets not yet eligible for late fees;

(b) The parking administrator receives reliable information that title to the vehicle has been transferred; or

(c) The parking administrator determines that the placement of the vehicle on the wheel lock-eligible list was erroneous.

(8) If a vehicle is not properly registered in any state or no registration information is available to the university and the vehicle is wheel lock eligible, then notice shall be provided by posting on the vehicle a conspicuous notice, which shall set forth:

(a) A description of the alleged wheel lock-eligible vehicle;

(b) A specified date on which the wheel lock-eligible vehicle is subject to placement on the wheel lock-eligible list;

(c) That the owner may avoid placement of the vehicle on the wheel lock-eligible list by making payment in full of fines and late fees on all unpaid parking tickets to include the payment of fines and fees related to parking tickets not yet eligible for late fees by the specified date certain on which the vehicle is subject to placement on the wheel lock-eligible list; and

(d) That the vehicle is subject to wheel lock, towing or both once it is placed on the wheel lock-eligible list.

(9) An officer shall attempt to wheel lock any vehicle which appears on the wheel lock-eligible list when parked, lawfully or unlawfully, on campus.

(10) The parking administrator or the chief of police shall ensure that officers are on duty to remove wheel locks

from vehicles Monday through Friday between 8:00 a.m. and 5:00 p.m.

NEW SECTION

WAC 504-15-880 Fees, fines, and release of an impounded vehicle. The owner of an impounded vehicle may not secure the release of the stored vehicle until payment in full of fines and fees has been made on all unpaid parking tickets to include the payment of fines and fees related to parking tickets not yet eligible for late fees relating to the vehicle which were issued while the vehicle was owned by the person who owned the vehicle at the time it is wheel locked or towed hereunder, and the owner has paid in full the wheel lock fee, unpaid parking tickets, late fees, storage fees, and towing fees for any and all other vehicles owned by the registered owner.

NEW SECTION

WAC 504-15-885 Theft, damage, or removal of a wheel lock device. The following conduct of any person shall be reported to university police:

- (1) Causing physical damage to a wheel lock device;
- (2) Removing, or attempting to remove, a wheel lock device; or
- (3) Taking or stealing a wheel lock device.

PART VI: TRAFFIC REGULATIONS

AMENDATORY SECTION (Amending Order 90-1, filed 5/16/90, effective 7/1/90)

WAC 504-15-920 Closed and restricted areas. In certain designated areas on campus, such as the pedestrian mall in the campus core, driving is restricted to mall service vehicles and vehicles bearing ((handicap)) university-issued persons with disability permits.

AMENDATORY SECTION (Amending WSR 95-13-003, filed 6/8/95, effective 7/9/95)

WAC 504-15-930 Bicycles, skateboards, and roller-skates. (1) The riding and use of bicycles, skateboards, and rollerskates is prohibited from the Terrell Mall, and all building plazas, interior building spaces, parking structures, and parking structure ramps.

(2) Bicycles, skateboards, and rollerskates may be ridden and used on sidewalks when a bike path is not provided. Operators must move at a safe speed and yield to pedestrians at all times.

(3) Bicycles, skateboards, and rollerskates may not be ridden on or over stairways, steps, ledges, benches, planting areas, or any other fixtures.

(4) Bicyclists must obey all traffic ((rules)) regulations of the road when operating a bicycle in roadways.

(5) Bicycles may be secured only at bicycle racks and facilities designed for such purpose.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 504-15-430	Change in residence or license plates.
WAC 504-15-830	Other violations and sanctions.

WSR 08-03-140
PROPOSED RULES
WASHINGTON STATE UNIVERSITY

[Filed January 23, 2008, 9:17 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 07-09-007.

Title of Rule and Other Identifying Information: Amendment of chapter 504-19 WAC, Campus traffic and parking regulations for Washington State University Vancouver.

Hearing Location(s): Washington State University, Administration Building, Room 236, Vancouver, Washington, on February 27, 2008, at 4:00 p.m.

Date of Intended Adoption: March 21, 2008.

Submit Written Comments to: Ralph T. Jenks, Director and University Rules Coordinator, Office of Procedures, Records, and Forms, P.O. Box 641225, Pullman, WA 99164-1225, e-mail Jenks@wsu.edu, fax (509) 335-3969, by February 28, 2008.

Assistance for Persons with Disabilities: Contact Linda Nelson by February 22, 2008, (509) 335-3928.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: To update and clarify the campus traffic and parking regulations.

Reasons Supporting Proposal: Amendments are necessary to update and clarify regulations.

Statutory Authority for Adoption: RCW 28B.30.150.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Washington State University, public.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Dave Stephenson, Campus Police Lieutenant, Public Safety, WSU Vancouver, (360) 546-9004.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The rule has no impact on small business.

A cost-benefit analysis is not required under RCW 34.05.328. The university does not consider this rule to be a significant legislative rule.

January 23, 2008
Ralph T. Jenks, Director
Procedures, Records, and Forms and
University Rules Coordinator

Chapter 504-19 WAC

**CAMPUS ((TRAFFIC)) PARKING AND ((PARKING))
TRAFFIC REGULATIONS FOR WASHINGTON
STATE UNIVERSITY VANCOUVER**

AMENDATORY SECTION (Amending WSR 96-15-050, filed 7/15/96, effective 8/15/96)

WAC 504-19-010 Authorization. Pursuant to the authority granted by RCW 28B.30.125, 28B.30.150, 28B.10.560, and chapter 34.05 RCW, the board of regents of ((Washington State University establishes the following regulations)) the university adopts this chapter to govern parking and traffic at Washington State University Vancouver, hereinafter referred to as WSUV.

AMENDATORY SECTION (Amending WSR 96-15-050, filed 7/15/96, effective 8/15/96)

WAC 504-19-020 Purposes of regulations. (1) The purposes of these regulations are to:

- ((1))) (a) Expedite university business and provide maximum safety, order, and ((convenience)) access;
- ((2))) (b) Regulate parking, with priority given to:
 - ((a))) (i) Services of the university;
 - ((b))) (ii) Persons who ((need)) require the use of vehicles in connection with their on-campus work; and
 - ((c))) (iii) Staff and students who ((need)) require the use of private vehicles because of a disability or other approved reason; and
- ((3))) (c) Provide and maintain suitable campus parking and traffic facilities.

(2) The vice-chancellor or designee whose responsibilities include supervision of the parking department shall have the authority to designate particular locations as parking, temporary parking, restricted parking, or prohibited parking, as well as the authority to designate permanent and temporary areas as being closed to vehicular traffic.

AMENDATORY SECTION (Amending WSR 96-15-050, filed 7/15/96, effective 8/15/96)

WAC 504-19-030 Knowledge of parking regulations. It is the responsibility of all individuals parking on the campus to read and fully understand these regulations. Lack of knowledge of these regulations ((will)) is not ((be accepted)) acceptable as grounds for dismissal of ((itations)) parking tickets.

AMENDATORY SECTION (Amending WSR 96-15-050, filed 7/15/96, effective 8/15/96)

WAC 504-19-040 Applicable parking and traffic laws and regulations. The following laws and regulations apply upon ((state)) lands owned and/or controlled by WSUV:

- (1) The motor vehicle and other traffic laws of the state of Washington (Revised Code of Washington); and
- (2) ((The WSUV parking and traffic regulations.)) Chapter 504-19 of the Washington Administrative Code.

AMENDATORY SECTION (Amending WSR 01-19-028, filed 9/13/01, effective 10/14/01)

WAC 504-19-050 Emergencies. The president of the university delegates to the WSUV campus ((dean)) chancellor the authority to suspend, modify, or repeal any or all provisions in this chapter for an authorized WSU special event or in the event of an emergency, disaster, or other like contingency. Such action shall be limited in duration and scope to meet the institutional needs of WSUV and/or address the dangers of the contingency.

AMENDATORY SECTION (Amending WSR 96-15-050, filed 7/15/96, effective 8/15/96)

WAC 504-19-100 Definitions. The definitions in this section are applicable within the context of ((these regulations)) this chapter.

(1) **Campus.** Describes all property owned, leased, and/or controlled by WSUV which is or may hereafter be dedicated mainly to the educational, research, recreational, parking, or other activities of WSUV.

(2) **Day.** Unless otherwise specified, the term "day" refers to a calendar day.

(3) **Disability parking.** See persons with disability.

(4) **Disability zone.** A parking zone ((identified with a sign bearing the international disability symbol that is restricted at all times to use by vehicles bearing a valid WSU disability parking permit or indicator, or any state issued disability parking permit)) designated for exclusive use by persons with disability and identified with a sign bearing the associated international symbol.

(5) **Fire zone.** An area needed for emergency access to buildings, fire hydrants, or fire equipment. Such areas include, but are not limited to, areas with adjacent curbs or rails painted red.

(6) **Holiday ((WSUV holiday)).** A day when all campus facilities are generally closed (e.g., Thanksgiving Day, Christmas Day, New Year's Day). Vacation days are not considered holidays. See definition of vacation)). See university holiday.

(7) **Illegal use of permit.** A parking violation in which a ((citation)) parking ticket is issued under the following circumstances:

(a) Use of a parking permit((/)) or indicator on ((an unspecified)) a vehicle other than the specified vehicle identified by a license number on the permit.

(b) Use of a ((counterfeit)) parking permit((/)) or indicator obtained under false pretenses.

(c) Use of a modified parking permit((/)) or indicator ((obtained under false pretenses)).

(d) ((Use of a modified permit/indicator.

((e))) Use and/or retention of a parking permit((/)) or indicator by person(s) ineligible, or no longer eligible, for such permit as described and authorized in this chapter.

((f))) (8) **Impound.** To take and hold a vehicle in legal custody, either by use of a wheel lock and/or towing.

(9) **Indicator.** A vinyl, plastic, or paper instrument displayed adjacent to a parking permit which ((more clearly)) defines the parking areas available to a permit holder.

((6)) (10) Loading zone. A loading dock or an area signed "loading zone" adjacent to a facility or in a parking area. Such an area is intended for loading and unloading bulky or voluminous material. Loading zones are restricted at all times unless signed otherwise.

((7)) (11) Moped. Any two-wheeled or three-wheeled motor vehicle with an engine displacement of 50 cc or less.

((8)) (12) Motorcycle. Any two-wheeled or three-wheeled motor vehicle with an engine displacement greater than 50 cc.

((9)) (13) Motor vehicle. All motor-driven conveyances except wheelchairs. Also referred to as "vehicle" in this chapter.

((10)) (14) No parking zone. Any area not specifically marked and/or signed for parking. Such areas include, but are not limited to, areas with adjacent curbs or rails painted yellow or red.

((11)) (15) Officer. Any parking or police official employed by the university who is designated by the parking administrator or police department head to issue parking tickets, to place or remove wheel locks, or to cause vehicles to be towed under this chapter.

(16) Owner. The person registered with any state as the present owner of a vehicle in the most current registration record available to the university, the owner's expressed representative, or any transferee not designated in such records, provided that the parking administrator or police department head has received actual written notice of the transfer.

(17) Park/parking. This refers to the placement or standing of a vehicle, with or without a driver in attendance, and with or without the engine running.

((12)) (18) Parking administrator. The manager in charge of the parking department or designee.

(19) Parking appeals committee. Any person or persons appointed to consider parking violations and the application of fees, fines, and sanctions. Said person or persons are appointed by the vice-chancellor whose responsibilities include supervision of the parking department or designee.

(20) Parking department. The university department which is charged with the responsibility of managing, operating, planning, and maintaining parking facilities and enforcing the parking regulations for the WSUV campus.

(21) Parking meter. A single fixed device that typically requires payment and limits the amount of time a vehicle can park in a single space. Also referred to as "meter" in this chapter. A parking meter is not a parking payment device.

(22) Parking payment device. A machine that requires payment and vends a parking permit and/or a paid receipt. Parking payment devices may be located in various places on campus. A parking payment device is not a parking meter.

(23) Parking permit. A vinyl, plastic, ((or)) paper, or other instrument sanctioned by ((WSUV)) the parking department that is displayed from a vehicle and authorizes parking in specified areas. Also referred to as "permit" in this chapter.

((13)) (24) Parking ticket. The first notice of a parking violation which is usually placed in a visible location on a motor vehicle.

(25) Pay parking facility. A location where parking is provided and payment is made on-site via a parking payment device, cashier, or other means other than a parking meter.

(26) Pedestrian mall. A space that is designed primarily for pedestrian use, but with limited authorized use of motor vehicle and other motorized and nonmotorized conveyances.

(27) Persons with disability. For the purposes of this chapter, persons with disability shall refer to a person or persons with disability or disabilities who qualify for a state-issued persons with disability parking identification and permit.

(28) Service vehicle. A vehicle used to provide a service for WSUV or a tenant or contractor of WSUV (e.g., a university-owned vehicle or a privately owned vehicle with a valid service ((permit)) vehicle authorization displayed).

((14)) (29) Service zone. Parking spaces or area designated for the use of ((university)) service vehicles, other government-owned vehicles, and vehicles displaying a service indicator or commercial permit. Authorized vehicles may park in these zones for a maximum of fifteen minutes, except for vehicles that display a service indicator issued for an extended time. Service zones are restricted at all times unless signed otherwise.

((15)) (30) Staff. For the purposes of these regulations, "staff" includes all ((faculty, classified staff, administrative and professional employees, temporary employees, and other support personnel employed by the university)) nonstudent employees of the university, and the ((personnel)) nonstudent employees of other ((activities)) entities located on or regularly doing business on campus. Teaching assistants, research assistants, and other students employed by the university or other entities located on or regularly doing business on campus are not "staff." They are considered as students for the purpose of these rules.

((16)) (31) Standing. "Standing" is the stopping of a vehicle with the driver remaining in it.

(32) Storage of a vehicle. Impounded vehicles are held in storage until released. During such time they are subject to storage fees.

(33) Student. ((Any person who has been admitted to the university, and who is either attending classes or actively pursuing a degree or certificate.)) The term "student" includes all persons who are not staff, who are taking courses at the university, enrolled full-time or part-time, pursuing undergraduate, graduate, professional studies, or auditing one or more classes.

((17)) (34) Summer session. The summer session includes all summer ((school)) sessions beginning on the first day of the earliest session and ending on the last day of the latest session.

((18)) (35) University. Refers to Washington State University Vancouver.

(36) University holiday. A day regarded by the university as an official university holiday.

(37) Unpaid. A full or partial outstanding balance due. This definition includes parking tickets which are pending appeal.

(38) Vacation. A period of time when classes or final exams are not in session. Except for holidays that fall within

this period, the business offices of WSUV typically are open during this time.

((19)) Vehicle. See motor vehicle.

((20)) (39) Visitors. Persons who are not staff or students and who only visit the campus on an occasional basis.

((21)) (40) Wheel lock. A device used to temporarily immobilize a motor vehicle ((i.e., on-the-spot impoundment)). Wheel locked vehicles are considered to be impounded in place and subject to storage fees.

(41) Wheel lock-eligible list. The current list of wheel lock-eligible vehicles as maintained by the parking department. A vehicle remains on the wheel lock-eligible list until all fines and fees related to parking tickets are paid in full or otherwise resolved to include the payment of fines and fees related to parking tickets not yet eligible for late fees.

(42) Wheel lock-eligible vehicle. Any vehicle on which three or more parking tickets more than thirty days old are unpaid and which parking tickets were issued during the time the vehicle was registered to or otherwise held by the owner. The vehicle remains wheel lock-eligible until all fines and fees related to parking tickets are paid in full or otherwise resolved to include the payment of fines and fees related to parking tickets not yet eligible for late fees.

(43) WSUV. Refers to Washington State University Vancouver.

AMENDATORY SECTION (Amending WSR 96-15-050, filed 7/15/96, effective 8/15/96)

WAC 504-19-200 Enforcement authority. WSUV public safety ((is)) and the parking department are charged with the impartial enforcement of these regulations. ((Enforcement personnel)) Officers of these departments have authority to issue parking ((citations)) tickets, to impound vehicles, and to control access to areas.

AMENDATORY SECTION (Amending WSR 96-15-050, filed 7/15/96, effective 8/15/96)

WAC 504-19-210 Times of enforcement. Parking regulations are subject to enforcement at all times.

(1) Parking permit areas((:)). All parking ((zones)) permit areas are limited to authorized permit holders during specific hours. These hours are posted in each parking ((zone either)) area at the entrance to parking areas or along roadways where parking is marked. ((Restricted spaces are enforced at all times.))

(2) Restricted spaces(:). These spaces are restricted for their designated purpose at all times ((twenty-four hours a day, seven days a week)) unless signed otherwise:

- (a) Disability zones.
- (b) Load/unload.
- (c) Service.
- (d) Reserved.
- (e) Reserved (bagged) parking meters.

(f) Areas which are specially signed ((areas)) or physically set apart by barricades, traffic cones, tape, or other devices.

(3) Parking metered spaces(:). Parking meters are in effect during the times posted on each meter. During these times the meter must be paid the posted amount. Additional

time cannot be purchased beyond the meter's posted maximum time limit (e.g., a thirty-minute meter will allow a maximum of thirty minutes to be purchased at one time). A motor vehicle which is parked at an expired meter is considered in violation initially, and after each period equal to the maximum time posted for the meter. In such case, a parking ticket may be issued for each violation. For example, a vehicle parked at a meter with a two-hour maximum time limit for six hours and five minutes of CONTINUOUS unpaid parking at the same meter would be eligible for up to three parking tickets.

AMENDATORY SECTION (Amending WSR 96-15-050, filed 7/15/96, effective 8/15/96)

WAC 504-19-220 Signed and marked areas. (1) Parking on campus is ((allowed)) permitted only in the marked and/or signed spaces in parking areas and on streets. All other areas outside these designated areas are "no parking zones." Each parking area has signs or markings to indicate the type of parking permit or ((permits)) parking payment required and the times they are required.

(2) Individual parking spaces are marked, and no vehicle may be parked so as to occupy any portion of more than one parking space. The fact that other vehicles were parked in a manner requiring a vehicle to occupy a portion of more than one space shall not constitute an excuse for a violation of this ((rule)) regulation.

(3) Standing (the stopping of a vehicle with the driver remaining in it) is permitted in marked parking spaces, except metered spaces and restricted spaces, even though the vehicle does not have a valid parking permit. Double parking while "standing" is not permitted.

(4) Should there be a conflict between these regulations, map designation, and on-site signs regarding parking instructions, the on-site sign takes precedence.

((4)) (5) Permit areas and restricted spaces are not always signed individually.

AMENDATORY SECTION (Amending WSR 96-15-050, filed 7/15/96, effective 8/15/96)

WAC 504-19-250 Motorcycles((:)) and mopeds((, and bicycles)). (1) The general traffic regulations applicable to motor vehicles apply ((equally)) to motorcycles((:)) and mopeds((, and bicycles)). Motorcycles or mopeds may not be driven on sidewalks or in ((the)) pedestrian mall areas. ((Bicycles may be used on sidewalks, though pedestrians always have the right of way.)) Owners of motorcycles and mopeds are responsible for all violations ((including violations)) issued ((even if said vehicle is moved by someone else after being legally parked)).

(2) The university classifies mopeds and motorcycles by engine displacement (also referred to as engine size). This definition applies only to university property and does not replace or supersede the definitions established by the state of Washington for licensing purposes.

(3) Motorcycles and mopeds: Motorcycles and mopeds may park only in spaces which are marked by signs or the letter "M" painted on the parking surface. Motorcycles and mopeds must display a valid WSUV motorcycle permit dur-

ing posted times. During all other times, these spaces are restricted to use by motorcycles and mopeds only.

AMENDATORY SECTION (Amending WSR 96-15-050, filed 7/15/96, effective 8/15/96)

WAC 504-19-300 Financial responsibility for ((citations)) parking tickets. (1) Each registered parking permit (registrant) holder shall be financially responsible for parking ((citations)) tickets on vehicles:

(a) Registered with ((WSUV public safety)) the parking department; and/or

(b) Displaying the ((registrant's)) registered parking permit holder's permit.

(2) Owners of vehicles ((will be)) are held ((primarily liable)) ultimately financially responsible for ((citations)) parking tickets issued to their vehicles.

AMENDATORY SECTION (Amending WSR 96-15-050, filed 7/15/96, effective 8/15/96)

WAC 504-19-350 Use of areas for emergency, maintenance, events, construction, or special needs. WSUV reserves the right to close any campus parking area at any time it is deemed necessary for maintenance, safety, events, construction, or to meet special needs. WSUV public safety will provide notice to users when possible.

Public safety and maintenance personnel performing official duties may deviate from these regulations as required to conduct emergency procedures.

AMENDATORY SECTION (Amending WSR 96-15-050, filed 7/15/96, effective 8/15/96)

WAC 504-19-410 Issuance ((and)), use, and term of parking permits. Parking permits are available at various campus locations upon application and payment of the appropriate fees. The applicant may receive a parking permit and/or indicator which specifies parking area(s) where the vehicle may be parked ((will be issued)). Permits are valid up to and including the expiration date on the permit.

AMENDATORY SECTION (Amending WSR 96-15-050, filed 7/15/96, effective 8/15/96)

WAC 504-19-420 ((Consent to)) Withholding of fines and fees. All parking permit applications shall provide that the university may withhold unpaid fines and fees, when permitted by law, from any sums owed the permit holder and to treat the same as a debt.

AMENDATORY SECTION (Amending WSR 96-15-050, filed 7/15/96, effective 8/15/96)

WAC 504-19-440 ((Term of permit)) Transfer of parking permit. ((Permits are valid up to and including the expiration date on the permit.))

The ownership of) A parking permit((s)) is ((generally)) not transferable((, but exceptions can be made by WSUV public safety provided that the:

((1) Person relinquishing ownership and the eligible purchaser appear in person at WSUV public safety when requesting such a transfer;))

((2) Former owner relinquishes all ownership or claim to the permit and pays all outstanding fines; and))

((3) New owner completes a new application form for the permit.))

If a replacement permit is requested, the old permit must be removed and presented to WSUV public safety to be eligible for a replacement or a refund)).

AMENDATORY SECTION (Amending WSR 96-15-050, filed 7/15/96, effective 8/15/96)

WAC 504-19-450 Replacement parking permits and indicators. (1) Sold or traded vehicles. Failure to advise ((WSUV public safety)) the parking department of a sale or trade for registration purposes may result in continued responsibility to the permit holder for ((citations)) parking tickets received on that ((permit)) vehicle.

The permit holder has responsibility for removing parking permits prior to selling or trading a vehicle. The identifiable remnants of the original permit must be presented to ((WSUV public safety)) the parking department to receive a free replacement. Persons failing to comply with this requirement shall pay the cost of a new permit.

(2) Lost/stolen permits. Permit holders are responsible for the security of their permits. The theft or loss of a parking permit should be reported to ((WSUV public safety)) the parking department immediately upon discovery. A lost or stolen permit ((will)) may be replaced ((once at no cost, but only if a theft report of the permit has been filed in the appropriate police jurisdiction and verified by WSUV public safety. The second time the permit is reported stolen, the replacement fee will be ten dollars; the third time, twenty dollars; and thereafter, the original cost of the stolen permit. A lost permit will be replaced once for ten dollars; the second time, twenty dollars; and thereafter at the original cost of the permit)) upon payment to the parking department of the cost of replacing the permit, according to a schedule adopted by the parking department. Lost or stolen permits must be returned to the ((WSUV public safety office)) parking department immediately if recovered.

(3) Windshield replacements. When a permit-bearing windshield is replaced, the permit replacement fee ((will be)) is waived if proof of windshield replacement is presented.

AMENDATORY SECTION (Amending WSR 96-15-050, filed 7/15/96, effective 8/15/96)

WAC 504-19-460 False information. No person shall obtain, attempt to obtain, or use in a manner contrary to these regulations, a modified or counterfeit parking permit or a permit issued upon false information. A violation of this section includes giving a false name, address, ((Social Security)) identification number, and/or other information known to be false. It also includes the ((mere)) use of a visitor, conference, and commercial permit by staff or students. Violation of this provision shall constitute the illegal use of a parking permit and ((will be)) is subject to ((citations and fine)) the issuance of parking tickets.

AMENDATORY SECTION (Amending WSR 96-15-050, filed 7/15/96, effective 8/15/96)

WAC 504-19-470 Recall of parking permits. Parking permits are the property of WSUV and may be recalled by ((WSUV public safety)) the parking administrator when:

- (1) The purpose for which the permit was issued changes or no longer exists;
- (2) A permit is used on an unauthorized vehicle or by an unauthorized person;
- (3) A parking permit application is falsified;
- (4) A counterfeit, modified, or lost/stolen permit is used; or
- (5) The parking permit fee is unpaid.

AMENDATORY SECTION (Amending WSR 96-15-050, filed 7/15/96, effective 8/15/96)

WAC 504-19-510 Parking permits—General. ((WSUV public safety will)) The parking department issues parking permits for designated areas of the campus. Any vehicle parked on ((WSUV property)) the campus, other than a pay area or metered space, must clearly display a valid WSUV parking permit ((for a given area)) in accordance with this chapter during the posted hours and in locations when and where permits are required. University staff and students may not use any other permit in lieu of a valid university parking permit.

AMENDATORY SECTION (Amending WSR 96-15-050, filed 7/15/96, effective 8/15/96)

WAC 504-19-520 Parking permits—Form and display. All parking permits must be displayed in the approved position on the vehicle with permit numbers and relevant dates visible. Vehicles with permits which are not displayed in accordance with the provisions of this section are ((not valid, and vehicles displaying them improperly are)) subject to ((eitation)) parking tickets for the violation of improperly displaying a permit.

(1) Autos and trucks:

(a) Hanging permits, both annual and ((temporary)) daily, must be displayed hanging from the rear-view mirror post.

(b) ((Transferable cards and affixed decals)) Permits mounted solely by suction cup and permit decals directly affixed to the windshield must be displayed on the front windshield at the lower left corner (driver's side). Decals must be mounted completely by means of their own adhesive (not by tape).

(2) Motorcycles and mopeds: Motorcycle and moped permits must be mounted completely by means of their own adhesive and prominently displayed on the left rear side of the vehicle or on top of the rear tail light.

AMENDATORY SECTION (Amending WSR 96-15-050, filed 7/15/96, effective 8/15/96)

WAC 504-19-540 Zone parking permits—Availability and use. The management and assignment of parking

zones is designed to provide a parking space to permit holders. However, uncontrolled access to parking areas and unexpected parking demand make it impossible to guarantee a parking space in the permit holder's assigned zone. Staff and students are generally assigned to specific parking areas ((called)) referred to as zones. Parking zones are color-coded with respect to their price and numbered with respect to the specific parking ((area)) zone assignment of each permit holder. Permit holders may park in their assigned zone as reflected by the combination of color and number on their permit and corresponding sign, or they may park in other zones as ((signed)) described below.

(1) Orange permits. Orange permit holders may park in their numerically assigned orange zone, or in any green, red, or gray zone.

(2) Green permits. Green permit holders may park in their numerically assigned green zone, or in any red or gray zone.

(3) Red permits. Red permit holders may park in their numerically assigned red zone, or in any gray zone.

(4) Gray permits. Gray permit holders may park in any gray zone.

AMENDATORY SECTION (Amending WSR 96-15-050, filed 7/15/96, effective 8/15/96)

WAC 504-19-560 Other parking permits—Availability and use. (1) Visitor permits((:)). Visitor permits may be used only by bona fide visitors as defined by this chapter. Use by any other person constitutes illegal use of a parking permit. Visitor permits are valid in any zone and parking spaces signed for visitors only. Visitor permits are not valid at meters or restricted spaces.

(2) Golden cougar permits((:)). Golden cougar permits are special visitor permits that are issued to retired ((faculty and staff free of charge)) staff in recognition of their service without additional cost. They are issued on an annual basis and are valid in any zone. ((Faculty and)) Staff who ((remain regularly)) are employed by the university or other entities located on campus after formal retirement are not eligible to use a golden cougar permit in lieu of a regular paid zone permit.

(3) President's associates decals((:)). President's associates decals are issued to eligible members of the ((WSU)) Washington State University foundation. They are valid in any zone. However, WSU faculty, staff, and students may not use a president's associates decal in lieu of a paid zone permit.

(4) Conference permits((:)). Conference permits are available to visitors who participate in conferences held on the WSUV campus. They are available on a daily basis only. Conference permits are valid in any assigned zone.

(5) Motorcycle permits((:)). Motorcycle permits are valid within boundaries of areas specifically posted and/or marked for motorcycle permits.

(6) Construction permits((:)). A construction permit is issued to personnel who are working on a construction site on campus. Construction permits are assigned to a specific parking area.

(7) Carpool((:)). Upon ((completion of)) application, a bona fide carpool((s)) with three or more participants ((will

~~be)) is given preference in the assignment of parking zones, and ((will be)) issued a permit ((instrument)) that ((will)) facilitates the carpool. Obtaining or using a carpool permit under false pretenses constitutes the illegal use of a permit.~~

~~(8) Commercial permits. Commercial permits are issued to vendors, suppliers, and service representatives of outside companies performing a service for the university. Commercial permits are valid in zones and areas indicated on the permit.~~

~~(9) Departmental permits. Departmental parking permits are available for use by department employees who need to use their personal vehicles for university business. Departmental permits are available in different forms and are valid at parking meters, service zones, orange, green, red, and gray permit zones, and pay parking facilities. Departmental permits are not valid in reserved spaces. The use of departmental permits for anything other than official departmental business is prohibited by the State Ethics Act.~~

AMENDATORY SECTION (Amending WSR 96-15-050, filed 7/15/96, effective 8/15/96)

WAC 504-19-580 Special indicator decals((f)) and hangers. Special indicator decals or hangers may be issued to staff and student permit holders who have otherwise valid parking permits in the following cases:

~~(1) A "service indicator decal((s)) or hanger"((s which are)) is valid typically for a maximum of fifteen minutes in a marked service zone. A ((separate)) "mall service" indicator ((allows)) is valid typically for a maximum of fifteen-minute parking in the pedestrian mall. These are available to staff or students who must use a private vehicle for university business.~~

~~(2) Reserved parking indicator decals((f)) and hangers which are valid in parking spaces that are signed for the corresponding permit and indicator.~~

AMENDATORY SECTION (Amending WSR 96-15-050, filed 7/15/96, effective 8/15/96)

WAC 504-19-600 ((Disability permits.)) Parking permits for persons with disability. ((WSUV strives to comply with the Americans with Disabilities Act (ADA) parking standards.))

There are two types of disability permits:

~~(1) Permanent physical disability. Disability permits are available to permanently disabled WSUV staff and students at the established fee. Disability permit holders may park in any zone and meter spaces if disability parking spaces are not available. They may not park in service zones or reserved spaces if disability parking spaces are not available.~~

~~(2) Temporary physical disability. Disability permits are available to temporarily disabled staff and students for a maximum of six weeks, although they may be renewed.~~

~~Staff and students must obtain a temporary disability form from WSUV public safety. These disabled parking privileges will be granted only after submission of the form that shows the applicant meets criteria established by the ADA. The form must be completed by a health care provider. WSUV public safety will not accept substitute forms or letters.))~~ (1) The provisions of this chapter cover the purchase

and display of parking permits and the payment of fees and fines associated with parking for persons with disability.

(2) For the purpose of this chapter, persons with disability shall refer to a person or persons with disability who qualify for a state-issued persons with disability parking identification and permit.

(3) The university uses the state persons with disability parking permit system to determine eligibility for a university persons with disability parking permit. Persons desiring to purchase a university persons with disability parking permit must present a valid state-issued persons with disability parking identification and permit.

(4) Unless otherwise authorized, parking in spaces designated for persons with disability requires a valid university persons with disability parking permit to park on campus. University parking permits for persons with disability are available at the gray zone rate.

(5) Persons with a university persons with disability parking permit may park in a persons with disability parking space and any other, nonrestricted permit space within a parking permit zone.

(6) Persons with a university persons with disability parking permit may not park in restricted spaces with the exception of persons with disability parking spaces.

(7) Unless otherwise posted, any university parking permit to include a persons with disability parking permit is not valid in lieu of payment of regular posted fees in pay parking facilities.

(8) A state-issued persons with disability license plate, placard, or permit is valid in lieu of a university persons with disability parking permit in parking zones during times when a university permit is not required.

(9) The university intends to retain control of access to the pedestrian malls on campus. For that reason a university persons with disability parking permit is required in lieu of a state-issued persons with disability license plate, placard, or permit as authorization to use a pedestrian mall to access marked persons with disability parking spaces within the confines of a pedestrian mall.

AMENDATORY SECTION (Amending WSR 96-15-050, filed 7/15/96, effective 8/15/96)

WAC 504-19-650 ((Permit)) Parking fees and fines.

(1) Schedules for parking fees, parking administrative fees, late payment fees, parking fines and sanctions, parking meter rates, prorate and refund schedules, and the effective date thereof ((will be posted in the public area of WSUV public safety and filed with the university rules coordinator)) are submitted to the president or his/her designee and to the board of regents for approval by motion, provided however, that increases in fees and fines do not exceed limits established by the board of regents. Increases in fees and fines that do not exceed limits established by the board of regents are not submitted to the board of regents so long as the board of regents has delegated authority to the president or his designee to approve all such fees and fines. The schedules described above for all parking fees and fines are thereafter posted in the public area of the parking department office and posted on the parking department's web site.

(2) Payments. Parking fees and fines may be paid at the parking department by cash, check, approved payment card, or money order. A payroll deduction plan is available for eligible university employees and eligible graduate students.

(3) The annual fee for any shorter period relative to all permits shall be prorated according to the published schedule.

(4) The proper fee must be paid for all vehicles parked in parking meter spaces unless otherwise authorized.

(5) Staff members whose work schedules qualify them for nighttime differential pay may purchase a permit for one-half the regular fee. Verification is required.

(6) Refunds. Annual permits being relinquished may be returned to the parking department for a pro rata refund in accordance with university policy. Identifiable remnants of the permit must be returned. The balance of any fees and fines owed the parking department is deducted from any refund due. Refunds for temporary permits are not granted. Refunds for pretax payroll deductions cannot be granted pursuant to federal tax laws.

(7) The parking department makes a wide array of options available in advance to university departments for use by their visitors, guests, and employees for the purpose of conducting departmental business. However, when necessary, university departments that can establish in writing that a parking ticket issued by the parking department was received as a result of parking any vehicle for the purpose of conducting official state business, or while conducting official business with the university or an entity located at the university are assessed a parking fee assessment (PFA) in lieu of the parking fine. Such requests for PFAs are signed by a department fiscal custodian. A PFA consists of the maximum daily parking fee plus an additional administrative fee for failing to purchase and provide the necessary parking permit or fee in advance or at the time of parking. University departments are encouraged to avoid additional administrative fees associated with PFAs by purchasing and storing pre-paid parking permits and by making them available as the department deems necessary. Nothing in this rule allows a university employee to receive, or attempt to receive, any benefit associated with his or her personal expenses in violation of the State Ethics Act. All questionable employee conduct regarding the application of this section is reported to, and investigated by, the university internal auditor. This section applies only to parking tickets issued pursuant to this chapter.

NEW SECTION

WAC 504-19-750 Reciprocal parking agreements.

(1) Purpose. The university can enter into reciprocal parking agreements with other universities and Washington State University campuses for the purpose of enhancing the accessibility to various campuses for staff and students participating in various courses and programs.

(2) The university faculty, staff, and students assigned to, enrolled at, or who pay fees to the WSUV campus or employees of other entities located on the WSUV campus must display a valid university parking permit when parking at the university. Any attempt by the above personnel to use a parking permit from another university campus in lieu of a

valid university WSUV campus permit may result in a fine for illegal use of a parking permit.

PART IV: FINES, SANCTIONS, AND APPEALS

AMENDATORY SECTION (Amending WSR 03-15-062, filed 7/14/03, effective 8/14/03)

WAC 504-19-810 Violations, fines, and sanctions. (1) Violations and fines((:)). Parking violations ((will be)) are processed by the university. Fines must be paid at the parking department or at other authorized locations. Schedules for parking violations, fines, and sanctions are posted in the public area of the parking services office and on the parking ((services)) department's web site.

(2) Reduction of fines(:).

(a) Fines for violations of overtime/nonpayment at meter and overtime in time zone paid within twenty-four hours ((will be)) of issuance are reduced by one-half. Eligible violations received on Friday or Saturday can be paid on the following Monday to satisfy the twenty-four-hour requirement. Mailed ((fines)) payment must be postmarked within twenty-four hours to receive the one-half reduction. ((If a permit holder of record neglects to display his/her permit and receives a notice of violation for no parking permit, that fine will be reduced when possession of a valid parking permit for the location is verified by WSUV public safety within twenty four hours.

((3))) (b) Visitors(:). The first violation of notices for "no parking permit" and "no parking permit for this area" issued to a visitor((s are)) is considered a warning notice((s)) upon presentation to ((WSUV public safety)) the parking department.

((4))) (c) If a permit holder of record neglects to display his or her permit and receives a notice of violation for "no parking permit," a reduced fine is assessed when possession of a valid parking permit for the location is verified by the parking department within twenty-four hours.

(d) Internal policies regarding disposition of parking tickets may be established on approval of the vice-chancellor or designee whose responsibilities include supervision of the parking department under the advisement of the university's internal auditor.

(3) Inoperable vehicles(:). It is the owner's responsibility to immediately contact ((WSUV public safety)) the parking department in the event that ((their)) the owner's vehicle becomes inoperable when the vehicle is present on campus.

(4) Payment of parking fines. All parking fines are due upon issuance of a parking ticket. Thirty days after date of issuance of a parking ticket, a late fee shall be added to all unpaid parking fines. For example, a parking ticket issued on May 1 would be assessed a late fee on May 31. Failure to pay the fine and fee assessed for any violation results in referral to the university controller's office for collection. The controller (or designee) may, if other collection efforts fail, withhold the amount of the outstanding fines and fees from deposits or other funds held for any student in order to secure payment.

When collection efforts are unsuccessful, the controller (or designee) may notify the registrar to refrain from issuing student transcripts or to withhold permission to reenroll for a

subsequent term until outstanding fines and fees are paid. The procedures discussed above are not exclusive, however, and failure by anyone to pay fines and fees may also lead to towing or use of the wheel lock device described in these regulations. Nor are the procedures discussed above a precondition to towing or use of the wheel lock.

(5) Failure to pay fines. Failure to pay a fine or comply with other penalties assessed pursuant to these regulations, and exhausting or failing to exercise appeals provided for in these regulations, may result in the inability to renew a vehicle license through the state pursuant to RCW 46.16.216.

AMENDATORY SECTION (Amending WSR 96-15-050, filed 7/15/96, effective 8/15/96)

WAC 504-19-860 Appeals procedure. The parking ticket represents a determination that a parking violation has been committed and the determination is final unless otherwise provided for or appealed as provided in this chapter.

(1) Purpose((:)). The parking appeals ((committee)) process serves ((two primary)) the following functions:

(a) To ((assure an impartial evaluation of the circumstances relating to a particular parking violation)) hear parking ticket appeals; ((and))

(b) ((To aid in the appraisal of parking and traffic problems)) To hear appeals of wheel lock eligibility determinations; and

(c) To hear appeals of impoundments.

(2) Procedure((:)). Any person who has received ((notice of)) a parking ((violation)) ticket may appeal the alleged parking violation. ((The appellant may request more information from WSUV public safety. The appeal must be in writing and received at WSUV public safety within ten calendar days after receipt of notice of the violation. Forms for this purpose are available from WSUV public safety. The parking appeals committee will make an initial decision on the appeal within twenty calendar days during the academic year and forty-five calendar days during the summer months after receipt of the appeal. The committee will serve a brief statement of the reasons for its decision on appellant within ten days of the decision.)) Appeal of wheel lock eligibility determinations and impoundments are described in WAC 504-19-865 and 504-19-870.

(3) Written parking ticket appeals. The appeal must be in writing and received at the parking department within ten calendar days of issuance of the parking ticket. Forms for this purpose are available from the parking department. The parking appeals committee makes an initial decision regarding the appeal within twenty calendar days during the academic year and thirty calendar days during the summer months after receipt of the appeal. The committee provides a brief statement of the reason for its decision to the appellant within ten calendar days of the decision.

(4) Review hearing of initial decision((:)). If the appellant is dissatisfied with the initial decision, he((f)) or she may request a hearing before a hearing officer or the parking appeals committee. Such a request must be made within ten calendar days ((of service)) of the ((notice)) date of the initial parking appeals committee decision. If no such request is received, the initial decision shall be final. During the

((review)) hearing the appellant and representatives of ((WSUV public safety)) the parking department may present and cross-examine witnesses. The hearing officer or appeals committee shall render a decision in writing and ((serve)) provide the appellant with the decision within ((five)) ten calendar days after the ((review)) hearing.

((4)) (5) Appeal to district court((:)). RCW 28B.10.560 provides that a person who is not satisfied with the final decision of the university may appeal to district court. The application for appeal to district court shall be in writing and must be filed at the ((WSUV public safety office)) parking department within ten calendar days after ((service of written notice of the final decision)) the date of the review hearing. ((WSUV public safety will)) The parking department forwards the documents relating to the appeal to the district court.

PART V: ((TRAFFIC RULES)) IMPOUNDMENT OF VEHICLE

NEW SECTION

WAC 504-19-865 General. (1) Pursuant to the provisions of this chapter, an officer shall cause a vehicle to be wheel locked, or towed, or both, if:

(a) The vehicle is on the wheel lock-eligible list; or

(b) The vehicle displays a lost, stolen, or counterfeit parking permit.

(2) Any vehicle may be towed away at owner's/operator's expense if the vehicle:

(a) Has been immobilized by wheel lock for more than twenty-four hours; or

(b) Is illegally parked in a marked tow-away zone; or

(c) Is a hazard or obstruction to vehicular or pedestrian traffic (including, but not limited to, vehicles parked at curbs or rails painted yellow or red or in crosswalks); or

(d) Cannot be immobilized with a wheel lock device; or

(e) Is illegally parked in a disability space.

(3) The driver and/or owner of a towed vehicle shall pay towing and storage expenses.

(4) Any vehicle immobilized by use of the wheel lock device in excess of twenty-four hours is assessed a storage fee for each calendar day or portion thereof, beyond the first twenty-four hours.

(5) The university assumes no responsibility in the event of damages resulting from towing, use of wheel lock devices, storage, or attempts to move a vehicle with a wheel lock device installed.

(6) No vehicle impounded by towing or wheel lock devices shall be released until the following fines are paid in cash or with an approved payment card:

(a) All unpaid parking ticket fines and late fees against said vehicle and any other vehicle registered to the owner;

(b) A wheel lock fee; and

(c) All towing and storage fees.

(7) A person wishing to challenge the validity of any fines or fees imposed under this chapter may appeal such fines or fees as provided in WAC 504-19-860. However, in order to secure release of the vehicle, such person must pay

the amount of such fines or fees as a bond which shall be refunded to the extent the appeal is successful.

(8) An accumulation of six unpaid violations during any twelve-month period, exclusive of overtime at parking meter violations, and overtime in time zone violations, subjects the violator to revocation or denial of parking privileges. Vehicles without permits which accumulate the above number of violations may be prohibited from parking on university property.

NEW SECTION

WAC 504-19-870 Wheel lock-eligible list. (1) The parking administrator shall be responsible for creating and maintaining the wheel lock-eligible list. See definition of "wheel lock-eligible vehicle."

(2) A wheel lock-eligible vehicle shall be placed on the wheel lock-eligible list after notice has been issued as provided in subsection (3) of this section and an appeal of the wheel lock eligibility determination, if requested, under subsection (4) of this section.

(3) At least ten days prior to placing a vehicle on the wheel lock-eligible list, the parking administrator shall mail a notice to the owner. The parking administrator mails the notice to the address stated on the most current registration records available to the university from a state, or any more current address of which the parking administrator or chief of police has actual written notice. The notice is sent by first class United States mail, postage prepaid. The notice shall set forth:

(a) The make and license plate number of the alleged wheel lock-eligible vehicle.

(b) A specified date on which the wheel lock-eligible vehicle is subject to placement on the wheel lock-eligible list.

(c) A list of the three or more alleged unpaid parking tickets, including the parking ticket number, date, time, place of the violation, and the nature of the violation. This list shall include all unpaid parking tickets issued to a particular vehicle to include the payment of fines and fees related to parking tickets not yet eligible for late fees.

(d) That the owner may avoid the placement of the vehicle on the wheel lock-eligible list by making payment in full of fines and late fees on all unpaid parking tickets to include the payment of fines and fees related to parking tickets not yet eligible for late fees by the specified date on which the vehicle is subject to placement on the wheel lock-eligible list.

(e) The name, mailing address (and street address if different), and telephone number of the parking department office that may be contacted to appeal the wheel lock eligibility determination. Such an appeal only considers whether an individual vehicle was properly placed on the wheel lock-eligible list and not the merits of an individual parking ticket, which may be addressed pursuant to a separate appeals process described in WAC 504-19-860.

(f) That the vehicle is subject to wheel lock, towing, or both once it is placed on the wheel lock-eligible list.

(g) That all late fees, wheel lock fees, towing, and storage fees shall be payable in full to obtain the release of a vehicle wheel locked or towed pursuant to this chapter in addition to payment of any and all unpaid parking tickets on this vehicle.

cle or other vehicles owned by the registered owner to include the payment of fines and fees related to parking tickets not yet eligible for late fees.

(4) If a request for an appeal of a wheel lock eligibility determination is received by the parking administrator before the specified date in the notice for placement of the vehicle on the wheel lock-eligible list, then the parking administrator shall afford the owner an opportunity to appeal the wheel lock eligibility determination prior to the placing of a vehicle on the wheel lock-eligible list. Although the parking administrator shall not have the authority to adjudicate the merits of any parking ticket, she or he shall, however, receive evidence and other input from the owner appealing the wheel lock eligibility determination that the notice given under subsection (3) of this section was erroneous or based on erroneous information.

(5) If an owner timely participates in the appeal as scheduled by the parking administrator, he or she shall furnish the owner written notice of his or her decision prior to placing the vehicle on the wheel lock-eligible list.

(6) After the specified date provided in the notice issued under subsection (3) of this section, the parking administrator shall review the records to ensure that the alleged unpaid parking tickets have not been paid or otherwise resolved, and that no information has been received indicating that the notice was erroneous.

(7) Once a vehicle has been placed on the wheel lock-eligible list, it shall not be removed from the list unless and until:

(a) The fines and fees on all unpaid parking tickets issued during the time it has been registered to or otherwise held by the owner are paid or otherwise resolved to include the payment of fines and fees related to parking tickets not yet eligible for late fees;

(b) The parking administrator receives reliable information that title to the vehicle has been transferred; or

(c) The parking administrator determines that the placement of the vehicle on the wheel lock-eligible list was erroneous.

(8) If a vehicle is not properly registered in any state or no registration information is available to the university and the vehicle is wheel lock eligible, then notice shall be provided by posting on the vehicle a conspicuous notice, which shall set forth:

(a) A description of the alleged wheel lock-eligible vehicle;

(b) A specified date on which the wheel lock-eligible vehicle is subject to placement on the wheel lock-eligible list;

(c) That the owner may avoid placement of the vehicle on the wheel lock-eligible list by making payment in full of fines and late fees on all unpaid parking tickets to include the payment of fines and fees related to parking tickets not yet eligible for late fees by the specified date certain on which the vehicle is subject to placement on the wheel lock-eligible list; and

(d) That the vehicle is subject to wheel lock, towing or both once it is placed on the wheel lock-eligible list.

(9) An officer shall attempt to wheel lock any vehicle which appears on the wheel lock-eligible list when parked, lawfully or unlawfully, on campus.

(10) The parking administrator or the chief of police shall ensure that officers are on duty to remove wheel locks from vehicles Monday through Friday between 8:00 a.m. and 5:00 p.m.

NEW SECTION

WAC 504-19-880 Fees, fines, and release of an impounded vehicle. The owner of an impounded vehicle may not secure the release of the stored vehicle until payment in full of fines and fees has been made on all unpaid parking tickets to include the payment of fines and fees related to parking tickets not yet eligible for late fees relating to the vehicle which were issued while the vehicle was owned by the person who owned the vehicle at the time it is wheel locked or towed hereunder, and the owner has paid in full the wheel lock fee, unpaid parking tickets, late fees, storage fees, and towing fees for any and all other vehicles owned by the registered owner.

NEW SECTION

WAC 504-19-885 Theft, damage, or removal of a wheel lock device. The following conduct of any person shall be reported to university police:

- (1) Causing physical damage to a wheel lock device;
- (2) Removing, or attempting to remove, a wheel lock device; or
- (3) Taking or stealing a wheel lock device.

PART VI: TRAFFIC REGULATIONS

AMENDATORY SECTION (Amending WSR 96-15-050, filed 7/15/96, effective 8/15/96)

WAC 504-19-920 Closed and restricted areas. In certain designated areas on campus, such as the pedestrian mall in the campus core, driving is restricted to mall service vehicles.

AMENDATORY SECTION (Amending WSR 96-15-050, filed 7/15/96, effective 8/15/96)

WAC 504-19-930 Bicycles, skateboards, and roller blades/skates. (1) The riding and use of bicycles, skateboards, and roller blades/skates is prohibited from all building plazas, and interior building spaces.

(2) Bicycles, skateboards, and roller blades/skates may be ridden and used on sidewalks when a bike path is not provided. Operators must move at a safe speed and yield to pedestrians at all times.

(3) Bicycles, skateboards, and roller blades/skates may not be ridden on or over stairways, steps, ledges, benches, planting areas, or any other fixtures.

(4) Bicyclists must obey all traffic rules of the road when operating a bicycle in roadways.

(5) Bicycles may be secured only at bicycle racks and facilities designed for such purpose.

(6) Bicyclists desiring to enjoy the right of way provided to pedestrians in crosswalks must dismount and walk their

bicycle in crosswalks. Failure to do so will result in a bicyclist being in violation of the traffic laws.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 504-19-430	Change in residence or license plates.
WAC 504-19-830	Other violations and sanctions.

WSR 08-03-141

PROPOSED RULES

DEPARTMENT OF FISH AND WILDLIFE

[Filed January 23, 2008, 9:30 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 07-24-061.

Title of Rule and Other Identifying Information: WAC 232-12-004 Classification of wild birds, 232-12-045 Hunting equipment restrictions, 232-28-273 2006-2008 Moose, bighorn sheep, and mountain goat seasons and permit quotas, 232-28-295 Landowner hunting permits, 232-28-337 Deer and elk area descriptions, 232-28-342 2006-07, 2007-08, 2008-09 Small game seasons, 232-28-351 2006-2008 Deer general seasons and definitions, and 232-28-352 2006-2008 Elk general seasons and definitions.

Hearing Location(s): Natural Resources Building, Room 172, 1111 Washington Street S.E., Olympia, WA 98504, (360) 902-2515, on March 7-8, 2008, at 8:00 a.m.

Date of Intended Adoption: April 11-12, 2008.

Submit Written Comments to: Wildlife Program Commission Meeting Public Comments, 600 Capitol Way North, Olympia, WA 98501-1091, e-mail Wildthing@dfw.wa.gov, fax (360) 902-2162, by Friday, February 15, 2008.

Assistance for Persons with Disabilities: Contact Susan Yeager by March 5, 2008, TTY (800) 833-6388 or (360) 902-2267.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: WAC 232-12-004 Classification of wild birds, the amendment adds Eurasian collared dove to the list of predatory birds in Washington.

WAC 232-12-045 Hunting equipment restrictions, this proposal will restrict the use of telemetry equipment for hunting deer, elk, bear, moose, mountain goat, and bighorn sheep that have radio transmitters attached to them.

WAC 232-28-273 2006-2008 Moose, bighorn sheep, and mountain goat seasons and permit quotas, rule amends 2008 seasons and permit quotas for moose, bighorn sheep, and mountain goats. The purpose of the rule is to maximize recreational hunting opportunities for these species while meeting the population and recreational objectives for each herd as indicated in the game management plan. The rule changes include minor statewide permit level changes for

moose (+14 permits) and bighorn sheep (+2 permits), as well as hunt boundary changes for mountain goat. The anticipated effect is stable to increase populations of these hunting species.

WAC 232-28-295 Landowner hunting permits, the proposal identifies permit levels and season dates for landowner hunting permit (LHP) program participants for the 2008 hunting seasons. There are calendar date modifications for some permits, but no changes in permit levels are being proposed. If adopted, the proposal will allocate seventy deer permits and 186 elk permits among five LHP cooperators. 60% of the permits will be for antlerless animals while 24% will be for antlered animals and 16% for any elk.

WAC 232-28-337 Deer and elk area descriptions, the proposed change removes elk feeding areas from GMU 368.

WAC 232-28-342 2006-07, 2007-08, 2008-09 Small game seasons, since 2003, the department has proposed liberalized fall, either sex turkey hunting seasons in northeastern and southeastern Washington, to provide expanded hunting opportunity and to address undesired turkey population increases. This proposal would change fall turkey hunting opportunities by increasing fall turkey permit levels in some southeastern Washington game management units (GMUs), while moving some northeastern GMUs from "early fall permit only" to "early fall general season" designations.

The amendment also extends the mourning dove season from 15 to 30 days in September, modifies the mourning dove falconry season to be consistent with federal rules, and makes the September goose season in Grays Harbor consistent with the remainder of Goose Management Area 3.

WAC 232-28-351 2006-2008 Deer general seasons and definitions, this rule amends the 2008 seasons for deer. The rule clarifies the antler restriction in GMU 554; focuses late season opportunity in a portion of GMU 162; and retains a late deer season in the main part of GMU 368.

WAC 232-28-352 2006-2008 Elk general seasons and definitions, this rule amends the 2008 seasons for elk. The rule modifies the season dates for the Elk Area 3911 damage hunt to provide better incentives for harvesting elk early in the season. Hunts that end in January are amended to end on January 20th to allow time for hunters to report prior to the January 31 reporting deadline. This proposal also establishes a hunt in Elk Area 3681, which avoids conflict with elk feeding stations and ethical issues while retaining the late elk season in the main part of GMU 368.

Reasons Supporting Proposal: WAC 232-12-004, the Eurasian collared dove is a nonnative species that has recently expanded its range into Washington. The effects of this species are not known, but there is some evidence that it may compete with our native mourning doves. The proposed amendment would classify the species as a predatory bird, which would allow it to be taken year-round with a hunting license as provided under WAC 232-12-005.

WAC 232-12-045, it is too easy for hunters to find and harvest wildlife with transmitters attached to them and hunting in this manner may bias the results of research projects.

WAC 232-28-273, recommended adjustments in permit quotas are based on meeting population objectives for each species as indicated in the game management plan.

WAC 232-28-295, the proposed permits are consistent with the commission's private lands hunter access program policy (C-6002). The permits will result in general public hunter access on private property and will help mitigate deer and elk foraging on private agricultural lands.

WAC 232-28-337, this proposal allows the continuation of December hunting seasons without impacting feeding activities or creating unethical hunting situations.

WAC 232-28-342, the proposed changes provide: (1) Greater turkey population control in areas experiencing unwanted population growth or, (2) increased turkey hunter opportunity in areas where expanding populations can support increased fall harvest.

The 2003-09 WDFW game management plan prescribes a restrictive dove season until a significant increase is observed in the ten-year Washington breeding population index. In 2007, a significant increase was observed in this index, and the department is recommending an increase in the 2008 dove season length from fifteen to thirty days, with season dates September 1-30. Grays Harbor County was included in Goose Management Area 3 in 2006, and the 2008 September goose season in Grays Harbor County is proposed for change to be consistent with season dates in the remainder of Goose Management Area 3.

WAC 232-28-351, recommended adjustments clarify restrictions, and helps focus harvest where desired. The change from GMU 368 to Deer Area 3682 helps retain the late hunt without impacting elk feeding operations.

WAC 232-28-352, recommended adjustments clarify restrictions, and helps focus harvest where desired. The change from GMU 368 to Elk Area 3681 helps retain the late hunt without impacting elk feeding operations.

Statutory Authority for Adoption: RCW 77.12.047, 77.12.020, 77.12.570, 77.12.210.

Statute Being Implemented: RCW 77.12.047, 77.12.-020, 77.12.570, 77.12.210.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Washington fish and wildlife commission, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Natural Resources Building, Olympia, (360) 902-2504; and **Enforcement:** Bruce Bjork, Natural Resources Building, Olympia, (360) 902-2373.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules regulate recreational hunters and do not directly regulate small business.

A cost-benefit analysis is not required under RCW 34.05.328. Not hydraulics rules.

January 23, 2008
Loreva M. Preuss
Rules Coordinator

AMENDATORY SECTION (Amending Order 04-98, filed 5/12/04, effective 6/12/04)

WAC 232-12-004 Classification of wild birds. (1) Game birds include:

Common Name	Scientific Name
migratory waterfowl	Anatidae
wild turkey	<i>Meleagris gallopavo</i>
blue grouse	<i>Falco pennis obscurus</i>
spruce grouse	<i>Dendragapus canadensis</i>
ruffed grouse	<i>Bonasa umbellus</i>
"Forest grouse" means blue, spruce, or ruffed grouse	
sharp-tailed grouse	<i>Tympanuchus phasianellus</i>
greater sage-grouse	<i>Centrocercus urophasianus</i>
white-tailed ptarmigan	<i>Lagopus leucurus</i>
California quail	<i>Callipepla californica</i>
mountain quail	<i>Oreortyx pictus</i>
northern bobwhite	<i>Colinus virginianus</i>
scaled quail	<i>Callipepla squamata</i>
chukar	<i>Alectoris chukar</i>
ring-necked pheasant	<i>Phasianus colchicus</i>
Gray (Hungarian) partridge	<i>Perdix perdix</i>
"Upland bird" means quail, chukar, pheasant, or partridge	
American coot	<i>Fulica americana</i>
common snipe	<i>Gallinago gallinago</i>
band-tailed pigeon	<i>Columba fasciata</i>
mourning dove	<i>Zenaida macroura</i>

(2) Predatory birds include:

Common Name	Scientific Name
black-billed magpie	<i>Pica hudsonia</i>
American crow	<i>Corvus brachyrhynchos</i>
European starling	<i>Sturnus vulgaris</i>
house (English) sparrow	<i>Passer domesticus</i>

Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	Permits
Kettle Range	Oct. 1-Nov. 30	GMUs 101, 105	Any Moose	2
Selkirk Mtns. A	Oct. 1-Nov. 30	GMU 113	Any Moose	25
Selkirk Mtns. B ^d	Oct. 1-Nov. 30	GMU 113	Antlerless Only	2
Mt. Spokane A	Oct. 1-Nov. 30	GMU 124 east of Hwy 395	Any Moose	((40)) 12
Mt. Spokane B	Oct. 1-Nov. 30	GMU 124 east of Hwy 395	Antlerless Only	((12)) 14
Mt. Spokane Youth Only ^a	Oct. 1-Nov. 30	GMU 124 east of Hwy 395	Antlerless Only	((8)) 10
49 Degrees North A	Oct. 1-Nov. 30	GMU 117	Any Moose	26
49 Degrees North B ^b	Oct. 1-Nov. 30	GMU 117	Antlerless Only	((3)) 5
49 Degrees North C ^c	Oct. 1-Nov. 30	GMU 117	Antlerless Only	2
49 Degrees North Youth Only ^a	Oct. 1-Nov. 30	GMU 117	Antlerless Only	2
Three Forks	Oct. 1-Nov. 30	GMUs 108, 111	Any Moose	8
Hangman A	Oct. 1-Nov. 30	GMUs 127, 130	Any Moose	((5)) 7
Hangman B	Oct. 1-Nov. 30	GMUs 127, 130	Antlerless Only	((5)) 7
Huckleberry Range	Oct. 1-Nov. 30	GMUs 121, 124 west of Hwy 395	Any Moose	((6)) 8

Common Name	Scientific Name
rock dove	<i>Columba livia</i>
Eurasian collared dove	<i>Streptopelia decaocto</i>

AMENDATORY SECTION (Amending Order 03-129, filed 6/12/03, effective 7/13/03)

WAC 232-12-045 Hunting equipment restrictions.

(1) It is unlawful to hunt deer or elk with the aid of infrared night vision equipment or with laser sights (not to include range finders) capable of projecting a beam onto the target, while in possession or control of a firearm, bow and arrow, or crossbow.

(2) It is unlawful to use radio-telemetry equipment to locate and hunt wildlife that have radio transmitters attached to them. Possession of radio-telemetry receivers while hunting deer, elk, bear, moose, mountain goat, and bighorn sheep is unlawful.

AMENDATORY SECTION (Amending Order 07-62, filed 5/3/07, effective 6/3/07)

WAC 232-28-273 2006-2008 Moose, bighorn sheep, and mountain goat seasons and permit quotas.

Moose Permit Hunts

Who May Apply: Anyone may apply; EXCEPT those who harvested a moose previously in Washington state. An individual may only harvest one moose during their lifetime (except waived for antlerless only hunts and raffle and auction hunts).

Bag Limit: One moose.

Weapon Restrictions: Permit holders may use any legal weapon.

^aApplicants must be eligible to purchase a youth moose license by November 30 during the license year they are applying for. Youth hunters must be accompanied by an adult during the hunt.

^bApplicants must possess a Disabled Hunter Permit.

^cApplicants must be 65 years of age or older by November 30 during the license year they are applying for.

^dApplicants must be a certified hunter education instructor who meet program-defined eligibility criteria.

Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	Permits
Vulcan Mountain A	Sept. 15-Oct. 10	Sheep Unit 2	Any Legal Weapon	((2)) 1
<u>Vulcan Mountain B^a</u>	<u>Oct. 1-10</u>	<u>Sheep Unit 2</u>	<u>Adult ewe only</u> <u>Any Legal Weapon</u>	<u>2</u>
Selah Butte	Nov. ((4)) 3-30	Sheep Unit 4	Any Legal Weapon	5
Umtanum	Sept. 15-Oct. 10	Sheep Unit 5	Any Legal Weapon	5
Cleman Mountain A	Sept. 15-Oct. 10	Sheep Unit 7	Any Legal Weapon	4
Cleman Mountain B	Nov. ((4)) 3-30	Sheep Unit 7	Any Legal Weapon	4
Mt. Hull	Sept. 15-Oct. 10	Sheep Unit 10	Any Legal Weapon	2
Wenaha	Sept. 15-Oct. 10	Sheep Unit 11	Any Legal Weapon	1
Lincoln Cliffs	Sept. 15-Oct. 10	Sheep Unit 12	Any Legal Weapon	1
Quilomene A	Sept. 15-Oct. 10	Sheep Unit 13	Any Legal Weapon	4
Swakane	Sept. 15-Oct. 10	Sheep Unit 14	Any Legal Weapon	1
Tieton	Sept. 15-Oct. 10	Sheep Unit 15	Any Legal Weapon	3
Manson	Nov. ((4)) 3-30	Sheep Unit 16	Any Legal Weapon	2
<u>Asotin</u>	<u>Sept. 15-Oct. 10</u>	<u>Sheep Unit 17</u>	<u>Any Legal Weapon</u>	<u>1</u>

^aApplicants must be 65 years of age or older by November 30 during the license year they are applying for.

Bighorn Sheep Units:

Sheep Unit 2 Vulcan Mountain: Permit Area: Ferry County north of the Kettle River near Curlew.

Sheep Unit 4 Selah Butte: Permit Area: That part of Yakima and Kittitas counties between Ellensburg and Yakima east of the Yakima River and north of Selah Creek, west of Interstate 82 and south of Interstate 90.

Sheep Unit 5 Umtanum: Permit Area: Those portions of Yakima and Kittitas counties west of the Yakima River, north of Wenas Creek, and east of USFS Road 1701 to Manastash Lake and its drainage; south and east along the South Fork Manastash Creek to Manastash Creek and the Yakima River.

Sheep Unit 7 Cleman Mountain: Permit Area: That part of Yakima County south of Wenas Creek and east of USFS Road 1701, north of Highway 410 and Highway 12 and west of the Yakima River.

Sheep Unit 10 Mt. Hull: Permit Area: That part of Okanogan County within the following described boundary: Beginning at Oroville; then south along U.S. Highway 97 to the Swanson's Mill Road (old Mt. Hull Road) near Lake Andrews; then east to the Dry Gulch Road; then north to the Oroville-Toroda Creek Road (Molson Grade Road); then west to Oroville and the point of beginning.

Bighorn Sheep Permit Hunts

Who May Apply: Anyone may apply; EXCEPT those who harvested a bighorn sheep previously in Washington state. An individual may only harvest one bighorn sheep during their lifetime. (Except waived for raffle and auction hunts.)

Bag Limit: One bighorn ram (except Vulcan Mountain B is one adult ewe).

Sheep Unit 11 Wenaha Wilderness: Permit Area: That part of GMU 169 within Crooked Creek drainage.

Sheep Unit 12 Lincoln Cliffs: Permit Area: That part of Lincoln County north of Highway 2.

Sheep Unit 13 Quilomene: Permit Area: GMUs 329, 330, and 251 south of Colockum Creek.

Sheep Unit 14 Swakane: Permit Area: GMU 250.

Sheep Unit 15 Tieton: Permit Area: GMU 360.

Sheep Unit 16 Manson: Permit Area: GMU 243.

Sheep Unit 17 Asotin: Permit Area: GMU 175.

Mountain Goat Permit Hunts

Who May Apply: Anyone may apply; except those who harvested a mountain goat in Washington state after 1998. An individual may only harvest one mountain goat during their lifetime, except for those who harvested a goat prior to 1999. (Except waived for raffle and auction hunts.)

Bag Limit: One (1) adult goat of either sex with horns four (4) inches or longer. WDFW urges hunters to refrain from shooting nannies with kids. Permit hunters may start hunting Sept. 1 with archery equipment.

Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	Permits
Chelan North	Sept. 15-Oct. 31	Goat Unit 2-1	Any Legal Weapon	1
Methow	Sept. 15-Oct. 31	Goat Unit 2-2	Any Legal Weapon	2
Naches Pass/Corral Pass	Sept. 15-Oct. 31	Goat Units 3-6, 4-38	Any Legal Weapon	2
Bumping River	Sept. 15-Oct. 31	Goat Unit 3-7	Any Legal Weapon	2
Blazed Ridge	Sept. 15-Oct. 31	Goat Unit 3-10	Any Legal Weapon	2
Tatoosh	Sept. 15-Oct. 31	Goat Unit 5-2	Any Legal Weapon	1
Smith Creek	Sept. 15-Oct. 31	Goat Unit 5-3	Any Legal Weapon	1
Goat Rocks/Tieton River	Sept. 15-Oct. 31	Goat Units 3-9, 5-4	Any Legal Weapon	5
Chowder Ridge	Sept. 15-Oct. 31	Goat Units 4-3	Any Legal Weapon	1
Avalanche Gorge	Sept. 15-Oct. 31	Goat Units 4-7	Any Legal Weapon	1

Mountain Goat Units:

Goat Unit 2-1 Chelan N. (Chelan County): Permit Area: Beginning at the mouth of Fish Creek on Lake Chelan (Moore Point); then northeast up Fish Creek and USFS trail 1259 to the Sawtooth crest near Deephole Spring; then southeast along the Sawtooth crest, which separates Chelan and Okanogan County, to Horsethief Basin and the headwaters of Safety Harbor Creek; then south along Safety Harbor Creek to Lake Chelan, then northwest along the north shore of Lake Chelan to the mouth of Fish Creek at Moore Point and the point of beginning.

Goat Unit 2-2 Methow Area: Permit Area: Okanogan County within the following described boundary: Beginning at the Town of Twisp, westerly along the Twisp River Road (County Road 4440) to Roads End; west up the Twisp Pass Trail 432 to Twisp Pass and the Okanogan County line; northerly along the Okanogan County line through Washington Pass to Harts Pass; southeast down Harts Pass (Road 5400) to Lost River; then along the Lost River-Mazama Road to Mazama; then southwest to State Highway 20; then southeasterly along State Highway 20 to Twisp and the point of beginning.

Goat Unit 3-6 Naches Pass: Permit Area: Yakima and Kittitas counties within the following described boundary: Beginning at Chinook Pass; then north along the Pacific Crest Trail to Naches Pass; then east to USFS Road 19 and continuing to State Highway 410; then west along State Highway 410 to Chinook Pass and point of beginning.

Goat Unit 3-7 Bumping River: Permit Area: GMU 356.

Goat Unit 3-9 Tieton River: Permit Area: GMU 364.

Goat Unit 3-10 Blazed Ridge: Permit Area: Kittitas and Yakima counties within the following described boundary: Beginning at the mouth of Cabin Creek on the Yakima River; then west along Cabin Creek to the headwaters near Snowshoe Butte; then south along the Cascade Crest separating the Green and Yakima river drainage to Pyramid Peak; then southeast along the North Fork, Little Naches, and Naches River to the Yakima River; then north along the Yakima River to the mouth of Cabin Creek and point of beginning.

Goat Unit 4-3 Chowder Ridge: Permit Area: Whatcom County within the following described boundary: Beginning

where Wells Creek intersects the North Fork Nooksack River; then up Wells Creek to Bar Creek; then southwest up Bar Creek to the Mazama Glacier; then continue southwest up Mazama Glacier to the summit of Mt. Baker; then northwest between Roosevelt Glacier and Coleman Glacier to Kulshan Cabin and the headwaters of Kulshan Creek and Grouse Creek to Smith Creek; then north down Smith Creek to Glacier Creek; continue north down Glacier Creek to the North Fork Nooksack River; then east along the North Fork Nooksack River to Wells Creek and the point of beginning.

Goat Unit 4-7 Avalanche Gorge: Permit Area: Whatcom County within the following described boundary: Beginning at the intersection of the Baker Lake Road (USFS Road 394) and Park Creek; then northwest up Park Creek to Park Glacier; then continue ((northeast)) westerly up Park Glacier to the summit of ((Mt.) Mount Baker; then ((northeast)) north
east down Mazama Glacier to ((the 6,500 ft. elevation; then east to the Portals; then continue east along the ridge line to Coleman Pinnacle; then northeast along the Camp Kiser Trail 683 (Ptarmigan Ridge) to the extreme southeast extension of Kulshan Ridge; then due east to the Lake Ann Trail 600; then east along the Lake Ann Trail 600 to the boundary of North Cascades National Park; then south and east along the park boundary to the Baker River and down the Baker River)) Bar Creek; then northeast down Bar Creek to the confluence of Wells Creek; then southeast up Wells Creek to waypoint 593106 E 5410010 N (NAD27); then southeast about 1/2 mile to Ptarmigan Ridge Trail 682.1 at waypoint 593674 E 5409462 N; then south and southwest along said trail about 1/2 mile to upper tributary of Swift Creek at waypoint 593425 E 5408803 N; then east and southeast down said tributary to confluence with Swift Creek; then south and southeast down Swift Creek to the Baker Lake Road (USFS Road 394); then west along the Baker Lake Road (USFS Road 394) to Park Creek and the point of beginning.

Goat Unit 4-38 Corral Pass: Permit Area: Pierce County within the following described boundary: Beginning where Goat Creek intersects the Corral Pass Road; then southeast up Goat Creek to the Cascade Crest; then north along the Crest to USFS Trail 1188; then northwest along said trail to USFS Trail 1176; then north along said trail to Corral Pass; then west along Corral Pass Road to its intersection with Goat Creek and the point of beginning.

Goat Unit 5-2 Tatoosh: Permit Area: Lewis County within the following described boundary: Beginning at the junction of the southern Mount Rainier National Park Boundary and State Highway 123; then south along State Highway 123 to U.S. Highway 12; then southwest along said highway to Skate Creek Road (USFS Road 52); then northwest along said road to the junction of Morse Creek Road (old road to Longmire Campground); then north along said road to the Mount Rainier National Park Boundary; then east along the southern park boundary to the point of beginning.

Goat Unit 5-3 Smith Creek: Permit area: Lewis County within the following described boundary: Beginning at the Town of Randle; then east along U.S. Highway 12 to USFS Road 21; then southeast along USFS Road 21 to USFS Road 22; then northeast and northwest along USFS Road 22 to USFS Road 23; then east and northwest on USFS Road 23 to USFS Road 25; then north along USFS Road 25 to Randle and point of beginning.

Goat Unit 5-4 Goat Rocks: Permit Area: Lewis County south of the White Pass Highway (U.S. Highway 12) and east of the Johnson Creek Road (USFS Road 1302).

AMENDATORY SECTION (Amending Order 07-166, filed 8/9/07, effective 9/9/07)

WAC 232-28-295 Landowner hunting permits. A landowner may enter into a contract with the department and

Hunt Name	Quota	Access Season
Buckrun	10	Sept. 1 - Dec. 31
Buckrun	30	Sept. 1 - Dec. 31
Buckrun Raffle	10	Sept. 1 - Dec. 31

Deer

((2007)) 2008 Buckrun Special Hunting Permits

Hunters apply to Washington department of fish and wildlife for these permits. Only hunters possessing a modern firearm deer tag are eligible for Buckrun special permits. All hunters must check in and out on hunt day. Schedule hunts in advance by calling 509-345-2577.

Hunt Name	Permit Number	Permit Season
Buckrun	10	Sept. 1 - Dec. 31

(2) 4-O Cattle Company

The 4-O Cattle Company is located in southwest Asotin County near the Washington/Oregon border. A legal description of the property is in the contract between the 4-O Cattle Company and the department.

((2007)) 2008 4-O Cattle Company Landowner Hunting Permits

The manager of the 4-O Cattle Company will distribute these hunting permits. An access fee may be charged in order to utilize these permits.

Elk

Hunt Name	Quota	Access Season
4-O Cattle Company	1	Sept. ((15-24)) 13-22
4-O Cattle Company	6	Oct. ((27)) 25 - Nov. ((4)) 2

establish boundaries and other requirements for hunter access consistent with commission policy.

Hunters must possess both an access permit from the land-owner and a hunting permit from the department when hunting on lands and for species covered under contract.

(1) Buckrun

Buckrun is located in Grant County, near the town of Wilson Creek. A legal description of the property has been filed with the county and is in the contract between Buckrun and the department.

Hunting on Buckrun is managed for a quality experience by scheduling hunt dates and keeping the number of hunters in the field low. Hunters with limited flexibility for hunt dates may experience scheduling problems. Hunters can generally expect one day hunts with written authorization from the Buckrun manager. All hunters must check in and out on hunt day. Schedule hunts in advance by calling 509-345-2577.

Deer

((2007)) 2008 Buckrun Landowner Hunting Permits

The manager of Buckrun will distribute these hunting permits. An access fee may be charged in order to utilize these permits. No access fee will be charged for the raffle permit winners. Only hunters possessing a modern firearm deer tag are eligible for permits on Buckrun properties. Contact the manager at 509-345-2577 for additional information.

Special Restrictions	Boundary Description
Antlerless Mule Deer or any Whitetail Deer	Buckrun
Any deer	Buckrun
Any deer	Buckrun

Special Restrictions	Boundary Description
Antlerless Mule Deer or any Whitetail Deer	Buckrun

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
4-O Cattle Company - A	5	((Oct. 1-7)) <u>Sept. 29 - Oct. 5</u>	Antlerless Only	4-O Cattle Company
4-O Cattle Company - B	10	Oct. ((3+)) <u>29</u> - Nov. ((6)) <u>4</u>	Antlerless Only	4-O Cattle Company
4-O Cattle Company - C	3	Nov. ((23-30)) <u>21-28</u>	Antlerless Only	4-O Cattle Company
4-O Cattle Company - D	5	Dec. ((29)) <u>27</u> - Jan. ((4)) <u>2</u>	Antlerless Only	4-O Cattle Company

Whitetail Deer

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
4-O Cattle Company	1	Nov. ((+5-19)) <u>13-17</u>	((Any Whitetail Buck)) <u>White-tailed Deer, 3 pt. min.</u>	4-O Cattle Company

Mule Deer

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
4-O Cattle Company	6	Oct. ((+3-16)) <u>11-14</u>	((Any)) Mule Deer ((Buck)) <u>3 pt. min.</u>	4-O Cattle Company

((2007)) 2008 4-O Cattle Company Special Hunting Permits

Hunters apply to the Washington department of fish and wildlife for these permits.

Elk

Hunt Name	Permit Number	Permit Season	Special Restrictions	Boundary Description
4-O Any Bull Elk	1	Sept. ((26)) <u>24</u> - Oct. ((6)) <u>4</u>	Any Bull	4-O Cattle Company
4-O Spike Bull Elk	2	Oct. ((27)) <u>25</u> - Nov. ((4)) <u>2</u>	Spike Bull Only	4-O Cattle Company
4-O Antlerless Elk A	15	<u>Sept. 29</u> - Oct. ((4-7)) <u>5</u>	Antlerless Only	4-O Cattle Company
4-O Antlerless Elk B	10	Oct. ((31)) <u>29</u> - Nov. ((6)) <u>4</u>	Antlerless Only	4-O Cattle Company
4-O Antlerless Elk C	7	Nov. ((23-30)) <u>21-28</u>	Antlerless Only	4-O Cattle Company
4-O Antlerless Elk D	5	<u>Nov. 29</u> - Dec. ((+7)) <u>5</u>	Antlerless Only	4-O Cattle Company
4-O Antlerless Elk E	5	Dec. ((8-14)) <u>6-12</u>	Antlerless Only	4-O Cattle Company
4-O Antlerless Elk F	5	Dec. ((+5-21)) <u>13-19</u>	Antlerless Only	4-O Cattle Company
4-O Antlerless Elk G	5	Dec. ((22-28)) <u>20-26</u>	Antlerless Only	4-O Cattle Company
4-O Antlerless Elk H	3	Dec. ((29)) <u>27</u> - Jan. ((4)) <u>2</u>	Antlerless Only	4-O Cattle Company
4-O Antlerless Elk I	5	Jan. ((+2-18)) <u>10-16</u>	Antlerless Only	4-O Cattle Company
4-O Antlerless Elk J	5	Jan. ((26)) <u>24-31</u>	Antlerless Only	4-O Cattle Company

Whitetail Deer

Hunt Name	Permit Number	Permit Season	Special Restrictions	Boundary Description
4-O White-tailed Buck	1	Nov. ((20-25)) <u>18-23</u>	((Any)) White-tailed Deer ((Buck)) <u>3 pt. min.</u>	4-O Cattle Company

Mule Deer

Hunt Name	Permit Number	Access Season	Special Restrictions	Boundary Description
4-O Mule Deer Buck	2	Oct. ((17-21)) <u>15-19</u>	((Any)) Mule Deer ((Buck)) <u>3 pt. min.</u>	4-O Cattle Company

(3) Silver Dollar Association

The Silver Dollar Association is located in Yakima and Benton counties, on the western edge of the Hanford Reservation. A legal description of the property is in the contract between the Silver Dollar Association and the department.

((2007)) 2008 Silver Dollar Association Landowner Hunting Permits

The manager of the Silver Dollar Association will distribute these hunting permits. An access fee may be charged in order to utilize these permits.

Elk

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Silver Dollar	24	Aug. 1 - March 31	Any Elk	Silver Dollar
Silver Dollar	15	Aug. 1 - March 31	Antlerless	Silver Dollar

((2007)) 2008 Silver Dollar Special Hunting Permits

Hunters apply to the Washington department of fish and wildlife for these permits.

Elk

Hunt Name	Permit Number	Permit Season	Special Restrictions	Boundary Description
Silver Dollar	6	Aug. 1 - March 31	Youth Only, Any Elk	Silver Dollar
Silver Dollar Antlerless Elk	12	Aug. 1 - March 31	Youth Only, Antlerless Elk Only	Silver Dollar
Silver Dollar Any Elk	2	Aug. 1 - March 31	Persons of Disability Only, Any Elk	Silver Dollar
Silver Dollar Antlerless Elk	3	Aug. 1 - March 31	Persons of Disability Only, Antlerless Elk Only	Silver Dollar

(4) Blackrock Ranches

Blackrock Ranches is located in Yakima County, west of the Hanford Reservation. A legal description of the property is in the contract between Blackrock Ranches and the department.

((2007)) 2008 Blackrock Ranches Landowner Hunting Permits

The manager of Blackrock Ranches will distribute these hunting permits. An access fee may be charged in order to utilize these permits.

Elk

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Blackrock Ranches	6	Aug. 1 - March 31	Any Elk	Blackrock Ranches
Blackrock Ranches	8	Aug. 1 - March 31	Antlerless	Blackrock Ranches

((2007)) 2008 Blackrock Ranches Special Hunting Permits

Hunters apply to the Washington department of fish and wildlife for these permits.

Elk

Hunt Name	Permit Number	Permit Season	Special Restrictions	Boundary Description
Blackrock Ranches	1	Aug. 1 - March 31	Any Elk	Blackrock Ranches
Blackrock Ranches	4	Aug. 1 - March 31	Antlerless Only	Blackrock Ranches
Blackrock Ranches	1	Aug. 1 - March 31	Youth Only, Any Elk	Blackrock Ranches
Blackrock Ranches	4	Aug. 1 - March 31	Youth Only, Antlerless Only	Blackrock Ranches

(5) Teanaway Ranch

The Teanaway Ranch is located in Kittitas County, 7 miles west of Cle Elum. A legal description of the property is in the contract between the Teanaway Ranch and the department.

((2007)) 2008 Teanaway ((Ranch)) Landowner Hunting Permits

The manager of the Teanaway Ranch will distribute this hunting permit. An access fee may be charged in order to utilize this permit.

Elk

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Teanaway Ranch	((+)) 3	((Aug. 1 - March 31)) <u>Nov. 29 - Jan. 31</u>	Any Bull	Teanaway Ranch

((2007)) 2008 Teanaway ((Ranch)) Special Hunting Permits

Hunters apply to the Washington department of fish and wildlife for this permit.

ELK

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Teanaway Ranch	1	((Aug. 1 - March)) <u>Nov. 29 - Jan. 31</u>	Any Bull	Teanaway Ranch

AMENDATORY SECTION (Amending Order 07-292, filed 12/13/07, effective 1/13/08)

WAC 232-28-337 Deer and elk area descriptions.**ELK AREAS**

Elk Area No. 1008 West Wenaha (Columbia County): That part of GMU 169 west of USFS trail 3112 (East Butte Creek Trail) and Butte Creek.

Elk Area No. 1009 East Wenaha (Columbia, Garfield, Asotin counties): That part of GMU 169 east of USFS trail 3112 (East Butte Creek Trail) and Butte Creek.

Elk Area No. 1010 (Columbia County): GMU 162 excluding National Forest land and the Rainwater Wildlife Area.

Elk Area No. 1011 (Columbia County): That part of GMU 162 east of the North Touchet Road, excluding National Forest land.

Elk Area No. 1012 (Columbia County): That part of GMU 162 west of the North Touchet Road, excluding National Forest land and the Rainwater Wildlife Area.

Elk Area No. 1013 (Asotin County): GMU 172, excluding National Forest lands.

Elk Area No. 1014 (Columbia-Garfield counties): That part of GMU 166 Tucannon west of the Tucannon River and USFS Trail No. 3110 (Jelly Spr.-Diamond Pk. Trail).

Elk Area No. 1015 Turnbull (Spokane County): Located in GMU 130, designated areas within the boundaries of Turnbull National Wildlife Refuge.

Elk Area No. 2032 Malaga (Kittitas and Chelan counties): Beginning at the mouth of Davies Canyon on the Columbia River; west along Davies Canyon to the cliffs above (north of) the North Fork Tarpiscan Creek; west and north along the cliffs to the Bonneville Power Line; southwest along the power line to the North Fork Tarpiscan Road in Section 9, Township 20N, Range 21E; north and west along North Fork

Tarpiscan Road to Colockum Pass Road (Section 9, Township 20N, Range 21E); south and west on Colockum Pass Road to section line between Sections 8 & 9; north along the section line between Sections 8 and 9 as well as Sections 4 & 5 (T20N, R21E) & Sections 32 & 33 (T21N, R21E) to Moses Carr Road; west and north on Moses Carr Road to Jump Off Road; south and west on Jump Off Road to Shaller Road; north and west on Shaller Road to Upper Basin Loop Road; north and west on Upper Basin Loop Road to Wheeler Ridge Road; north on Wheeler Ridge Road to the Basin Loop Road (pavement) in Section 10 (T21N, R20E); north on Basin Loop Road to Wenatchee Heights Road; west on Wenatchee Heights Road to Squilchuck Road; south on Squilchuck Road to Beehive Road (USFS Rd 9712); northwest on Beehive Road to USFS Rd 7100 near Beehive Reservoir; north and west on USFS Rd 7100 to Peavine Canyon Road (USFS Rd 7101); north and east on Peavine Canyon Road to Number Two Canyon Road; north on Number Two Canyon Road to Crawford Street in Wenatchee; east on Crawford Street to the Columbia River; south and east along the Columbia River to Davies Canyon and point of beginning. (Naneum Green Dot, Washington Gazetteer, Wenatchee National Forest)

Elk Area No. 2033 Peshastin (Chelan County): Beginning at Crawford Street and the Columbia River in Wenatchee; west on Crawford Street and Number Two Canyon Road to USFS 7101 Road (Peavine Canyon); west on USFS 7101 Road to Mission Creek Road; north on Mission Creek Road to USFS 7104 Road (Sand Creek Road); west on USFS 7104 Road (Sand Creek Road) to Camas Creek; west up Camas Creek to where Camas Creek crosses USFS 7200 Road, T22N, R18E, Section 4; north along USFS 7200 Road to U.S. Highway 97; north on U.S. Highway 97 to USFS 7300 Road (Mountain Home Road); north on the USFS 7300 Road to the Wenatchee River at Leavenworth; down the Wenatchee River and Columbia River to the point of beginning.

Elk Area No. 2051 Tronson (Chelan County): All of GMU 251 except that portion described as follows: Beginning at the junction of Naneum Ridge Road (WDFW Rd 9) and

Ingersol Road (WDFW Rd 1); north and east on Ingersol Road to Colockum Road (WDFW Rd 10); east on Colockum Road and Colockum Creek to the intersection of Colockum Creek and the Columbia River; south on the Columbia River to mouth of Tarpiscan Creek; west up Tarpiscan Creek and Tarpiscan Road (WDFW Rd 14) and North Fork Road (WDFW Rd 10.10) to the intersection of North Fork Road and Colockum Road; southwest on Colockum Road to Naneum Ridge Road; west on Naneum Ridge Road to Ingersol Road and the point of beginning.

Elk Area No. 3068 Klickitat Meadows (Yakima County): Beginning at Darland Mountain, southeast along the main divide between the Diamond Fork drainage and the Ahtanum Creek drainage to the point due west of the headwaters of Reservation Creek (Section 18, T12N, R14E); then along a line due west to Spencer Point (as represented in the DNR 100k map); northeast from Spencer Point to US Forest Service (USFS) Trail 1136; north along USFS Trail 1136 to USFS Trail 615; east on USFS Trail 615 to Darland Mountain and the point of beginning.

Elk Area No. 3681 Ahtanum (Yakima County): That part of GMU 368 beginning at the power line crossing on Ahtanum Creek in T12N, R16E, Section 15; west up Ahtanum Creek to South Fork Ahtanum Creek; southwest up South Fork Ahtanum Creek to its junction with Reservation Creek; southwest up Reservation Creek and the Yakama Indian Reservation boundary to the main divide between the Diamond Fork drainage and Ahtanum Creek drainage; north along the crest of the main divide between the Diamond Fork drainage and the Ahtanum Creek drainage to Darland Mountain; northeast on US Forest Service Trail 615 to US Forest Service Road 1020; northeast on US Forest Service Road 1020 to US Forest Service Road 613; northeast on US Forest Service Road 613 to US Forest Service Trail 1127; northeast on US Forest Service Trail 1127 to US Forest Service Road 1302 (Jump Off Road), southeast of the Jump Off Lookout Station; northeast on US Forest Service Road 1302 (Jump Off Road) to the power line in T14N, R15E, Section 33; southeast along the power line to Ahtanum Creek and the point of beginning.

Elk Area No. 3721 Corral Canyon (Benton and Yakima counties): That part of GMU 372 beginning at the Yakima River Bridge on SR 241 just north of Mabton; north along SR 241 to the Rattlesnake Ridge Road (mile post #19); east on Rattlesnake Ridge Road to the Hanford Reach National Monument's (HRNM) southwest corner boundary; east and south along the HRNM boundary to SR 225; south on SR 225 to the Yakima River Bridge in Benton City; west (upstream) along Yakima River to point of beginning (SR 241 Bridge).

Elk Area No. 3722 Blackrock (Benton and Yakima counties): That part of GMU 372 beginning at southern corner of the Yakima Training Center border on Columbia River, northwest of Priest Rapids Dam; southeast on southern shore of Columbia River (Priest Rapids Lake) to Priest Rapids Dam; east along Columbia River to the Hanford Reach National Monument's (HRNM) western boundary; south along the HRNM boundary to the Rattlesnake Ridge Road; west on Rattlesnake Ridge Road to SR 241; south on SR 241

to the Yakima River Bridge just north of Mabton; west along Yakima River to SR 823 (Harrison Road) south of town of Pomona; east along SR 823 (Harrison Road) to SR 821; southeast on SR 821 to Firing Center Road at I-82; east on Firing Center Road to main gate of Yakima Training Center; south and east along Yakima Training Center boundary to southern corner of Yakima Training Center boundary on Columbia River and point of beginning.

Elk Area No. 3911 Fairview (Kittitas County): Beginning at the intersection of the BPA Power Lines in T20N, R14E, Section 36 and Interstate 90; east along the power lines to Highway 903 (Salmon La Sac Road); northwest along Highway 903 to Pennsylvania Avenue; northeast along Pennsylvania Avenue to No. 6 Canyon Road; northeast along No. 6 Canyon Road to Cle Elum Ridge Road; north along Cle Elum Ridge Road to Carlson Canyon Road; northeast along Carlson Canyon Road to West Fork Teanaway River; east along West Fork Teanaway River to North Fork Teanaway River; north along North Fork Teanaway River to Teanaway Road; southeast on Teanaway Road to Ballard Hill Road; east on Ballard Hill Rd and Swauk Prairie Road to Hwy 970; northeast on Hwy 970 to Hwy 97; south on Hwy 97 to the power lines in T20N, R17E, Section 34; east on the power lines to Naneum Creek; south on Naneum Creek approximately 1/2 mile to power lines in T19N, R19E, Section 20; east along BPA power lines to Colockum Pass Road in T19N, R20E, Section 16; south on Colockum Pass Road to BPA power lines in T18N, R20E, Section 6; east and south along power lines to Parke Creek; north on Parke Creek to Whiskey Jim Creek; east on Whiskey Jim Creek to Beacon Ridge Road; south on Beacon Ridge Road to the Vantage Highway; east along the Vantage Highway to I-90; west along I-90 to the Yakima Training Center boundary; south and west along the Yakima Training Center boundary to I-82; north on I-82 to Thrall Road; west on Thrall Road to Wilson Creek; south on Wilson Creek to Yakima River; north on Yakima River to gas pipeline crossing in T17N, R18E, Section 25; south and west on the gas pipeline to Umtanum Creek; west on Umtanum Creek to the Durr Road; north on the Durr Road to Umtanum Road; north on Umtanum Road to South Branch Canal; west on South Branch Canal to Bradshaw Road; west on Bradshaw Road to the elk fence; north and west along the elk fence to power line crossing in T19N, R16E, Section 10; west along the power line (south branch) to the Cabin Creek Road; east and north on Cabin Creek Road to Easton and I-90; east on I-90 to point of beginning.

Elk Area No. 3912 Old Naches (Yakima County): Starting at the elk fence and Roza Canal along the south boundary T14N, R19E, Section 8; following the elk fence to the big-horn sheep feeding site in T15N, R16E, Section 36; south on the feeding site access road to the Old Naches Highway; west and south on the Old Naches Highway to State Route 12 and the Naches River; down the Naches River to the Tieton River; up the Tieton River approximately 2 miles to the intersection of the metal footbridge and the elk fence at the south end of the bridge in T14N, R16E, Section 3; south along the elk fence to the top of the cliff/rimrock line; southwest along the top of the cliff/rimrock line to the irrigation canal in T14N, R16E, Section 9; southwest along the irrigation canal

to the elk fence in T14N, R16E, Section 8; south along the elk fence to the township line between T12N, R15E and T12N, R16E; south along the township line to the South Fork Ahtanum Creek; downstream along the South Fork Ahtanum Creek and Ahtanum Creek to the Yakima River; upstream along the Yakima River to Roza Canal and point of beginning.

Elk Area No. 3944 Clemen (Yakima County): That portion of GMU 342 beginning at the junction of Highway 410 and USFS Road 1701 (Big Bald Mountain Road); north to USFS Road 1712; east on USFS Road 1712 (Clemen Ridge Road) to the east edge of Waterworks Canyon; south along the east edge of Waterworks Canyon to the elk fence; west along the elk fence to Highway 410 to the point of beginning.

Elk Area No. 4041 Grandy Creek (Skagit County): Begin at the intersection of CP 190 Road and CP 132 Road (Section 28, T36N, R5E); east along the CP 132 Road to the CP 130 Road; east and south along CP 130 Road to CP 110 Road, west, south and east along CP 110 Road to Childs Creek; south down Childs Creek to State Route 20; east on State Route 20 to Grandy Creek; south down Grandy Creek to the Skagit River; south on a line to South Skagit Hwy; west on South Skagit Hwy to State Route 9; north on State Route 9 to State Route 20; east on State Route 20 to Helmick Road; north on Helmick Road to CP 190 Road to CP 132 Road and the point of beginning. (WA Atlas & Gazetteer & Mt. Baker-Snoqualmie National Forest Map)

Elk Area No. 4941 Skagit River (Skagit County): That portion of GMU 437 beginning at the intersection of State Route 9 and State Route 20; east on State Route 20 to Cape Horn Road NE; south down Cape Horn Road NE to the power line crossing which passes over the Skagit River; east on the power line to the Skagit River; south and west down the Skagit River to Pressentine Creek; south up Pressentine Creek to the South Skagit Highway; west on South Skagit Highway to State Route 9; north on State Route 9 to point of beginning.

Elk Area No. 5029 Toledo (Lewis and Cowlitz counties): Beginning at the Cowlitz River and State Highway 505 junction; east along the Cowlitz River to the Weyerhaeuser 1800 Road; south along Weyerhaeuser 1800 Road to Cedar Creek Road; east along Cedar Creek Road to Due Road; south on Due Road to Weyerhaeuser 1823 Road; south along Weyerhaeuser 1823 Road to the Weyerhaeuser 1945 Road; south along the Weyerhaeuser 1945 Road to the Weyerhaeuser 1900 Road; south along the Weyerhaeuser 1900 Road to the North Fork Toutle River; west along the North Fork Toutle River to the Toutle River; west on the Toutle River to the Cowlitz River; North along the Cowlitz River to the junction of State Highway 505 and the point of beginning.

Elk Area No. 5049 Ethel (Lewis County): That part of GMU 505 beginning at the intersection of Jackson Highway and Highway 12; south along Jackson Highway to Buckley Road; south on Buckley Road to Spencer Road; east on Spencer Road to Fuller Road; north on Fuller Road to Highway 12; east on Highway 12 to Stowell Road; north on Stowell Road to Gore Road; west on Gore Road to Larmon Road;

west on Larmon Road to Highway 12; west on Highway 12 to Jackson Highway and point of beginning.

Elk Area No. 5050 Newaukum (Lewis County): That part of GMU 505 beginning at the intersection of Interstate 5 and Highway 12; east on Highway 12 to Larmon Road; east on Larmon Road to Leonard Road; north on Leonard Road through the town of Onalaska to Deggler Road; north on Deggler Road to Middle Fork Road; east on Middle Fork Road to Beck Road; north on Beck Road to Centralia-Alpha Road; west on Centralia-Alpha Road to Logan Hill Road; south then west on Logan Hill Road to Jackson Highway; south on Jackson Highway to the Newaukum River; west along the Newaukum River to Interstate 5; south on Interstate 5 to Highway 12 and point of beginning.

Elk Area No. 5051 Green Mountain (Cowlitz County): Beginning at the junction of the Cowlitz River and the Toutle River; east along the Toutle River to the North Fork Toutle River; east along the North Fork Toutle River to the Weyerhaeuser 1900 Road; south along the Weyerhaeuser 1900 Road to the Weyerhaeuser 1910 Road; south along the Weyerhaeuser 1910 Road to the Weyerhaeuser 2410 Road; south along the Weyerhaeuser 2410 Road to the Weyerhaeuser 4553 Road; south along the Weyerhaeuser 4553 Road to the Weyerhaeuser 4500 Road; south along the Weyerhaeuser 4500 Road to the Weyerhaeuser 4400 Road; south along the Weyerhaeuser 4400 Road to the Weyerhaeuser 4100 Road; east along the Weyerhaeuser 4100 Road to the Weyerhaeuser 4700 Road; south along the Weyerhaeuser 4700 Road to the Weyerhaeuser 4720 Road; west along the Weyerhaeuser 4720 Road to the Weyerhaeuser 4730 Road; west along the Weyerhaeuser 4730 Road to the Weyerhaeuser 4732 Road; west along the Weyerhaeuser 4732 Road to the Weyerhaeuser 4790 Road; west along the Weyerhaeuser 4790 Road to the Weyerhaeuser 1390 Road; south along the Weyerhaeuser 1390 Road to the Weyerhaeuser 1600 Road; west along the Weyerhaeuser 1600 Road to the Weyerhaeuser Logging Railroad Tracks at Headquarters; west along the Weyerhaeuser Logging Railroad Track to Ostrander Creek; west along Ostrander Creek to the Cowlitz River; north along the Cowlitz River to the Toutle River and point of beginning.

Elk Area No. 5052 Mossyrock (Lewis County): Beginning at the intersection of Winston Creek Road and State Highway 12; east on State Highway 12 to the Cowlitz River; east on the Cowlitz River to Riffe Lake; southeast along the south shore of Riffe Lake to Swofford Pond outlet creek; south on Swofford Pond outlet creek to Green Mountain Road; west on Green Mountain Road to Perkins Road; west on Perkins Road to Longbell Road; south on Longbell Road to Winston Creek Road; north on Winston Creek Road to State Highway 12 and the point of beginning. (All lands owned and managed by the Cowlitz Wildlife Area are excluded from this Elk Area.)

Elk Area No. 5053 Randle (Lewis County): Beginning at the town of Randle and the intersection of U.S. Highway 12 and State Route 131 (Forest Service 23 and 25 roads); south on State Route 131 to Forest Service 25 Road; south on Forest Service 25 Road to the Cispus River; west along the Cispus River to the Champion 300 line bridge; south and west on

the Champion 300 line to the Champion Haul Road; north along the Champion Haul Road to Kosmos Road; north on Kosmos Road to U.S. Highway 12; east on U.S. Highway 12 to Randle and point of beginning. (All lands owned and managed by the Cowlitz Wildlife Area are excluded from this Elk Area.)

Elk Area No. 5054 Boistfort (Lewis County): Beginning at the town of Vader; west along State Highway 506 to the Wildwood Road; north along the Wildwood Road to the Abernathy 500 line gate (Section 20, T11N, R3W, Willamette Meridian); northwest along the 500, 540, and 560 lines to the Weyerhaeuser 813 line; northwest along the 813, 812, 5000J, 5000 and 4000 lines to the Pe Ell/McDonald Road (Section 15, T12N, R4W); west along the Pe Ell/McDonald Road to the Lost Valley Road; northeast along the Lost Valley Road to the Boistfort Road; north along the Boistfort Road to the King Road; east along the King Road to the town of Winlock and State Highway 603; south along Highway 505 to Interstate 5; south along Interstate 5 to State Hwy 506; west along State Hwy 506 to the town of Vader and the point of beginning.

Elk Area No. 5056 Grays River Valley (Wahkiakum County): On or within 3/4 mile of agricultural land in the Grays River Valley within the following sections: T10N, R7W, Sections 8, 9, 17, 18 and T10N, R8W, Sections 13, 23, 24, 26.

Elk Area No. 5057 Carlton (Lewis County): That part of 513 (South Rainier) lying east of Highway 123 and north of Highway 12.

Elk Area No. 5058 West Goat Rocks (Lewis County): Goat Rocks Wilderness west of the Pacific Crest Trail.

Elk Area No. 5059 Mt. Adams Wilderness (Skamania and Yakima counties): The Mt. Adams Wilderness.

Elk Area No. 5060 Merwin (Cowlitz County): Begin at the State Route 503 and the Longview Fibre Road WS-8000 junction; north and west on the Longview Fibre Road WS-8000 to Day Place Road; west on Day Place Road to Dubois Road; south on Dubois Road to State Route 503; east on State Route 503 to the State Route 503 and the Longview Fibre Road WS-8000 junction and point of beginning.

Elk Area No. 5061 Wildwood (Lewis County): Beginning at the junction of the Pacific West Timber (PWT) 600 Road and the Wildwood Road (SE1/4 S29 T11N R3W); southwest on the 600 Road to the 800 Road (NW1/4 S36 T11N R4W); southwest on the 800 Road to the 850 Road (SW1/4 S3 T10N R4W); northwest on the 850 Road to the Weyerhaeuser 4720 Road (S20 T11N R4W); north on the Weyerhaeuser 4720 Road to the Weyerhaeuser 4700 Road (S17 T11N R4W); east on the Weyerhaeuser 4700 Road to the Weyerhaeuser 5822 Road (NW1/4 S16 T11N R4W); east on the Weyerhaeuser 5822 Road to the Weyerhaeuser 5820 Road (NW1/4 S10 T11N R4W); southeast on the Weyerhaeuser 5820 Road to the PWT 574 Road (SE1/4 S10 T11N R4W); south on the PWT 574 Road to the 570 Road (NW1/4 S14 T11N R4W); south on the 570 Road to the 500 Road (NW1/4 S14 T11N R4W); northeast on the 500 Road to the 560 Road (SW1/4

S12 T11N R4W); east on the 560 Road to the 540 Road (SE1/4 S12 T11N R4W); east and south on the 540 Road to the 500 Road (SE1/4 S18 T11N R3W); east on the PWT 500 Road to the Wildwood Road (N1/2 S20 T11N R3W); south on the Wildwood Road to the point of beginning, the PWT 600 Road junction (SE1/4 S29 T11N R3W).

Elk Area No. 5062 Trout Lake (Klickitat County): Those portions of GMUs 560 (Lewis River) and 578 (West Klickitat) beginning at the intersection of SR 141 and Sunnyside Road; north on Sunnyside Road to Mount Adams Recreational Area Road; north on Mount Adams Recreational Area Road to USFS Road 23; north on USFS Road 23 to DNR T-4300 Road; west on DNR T-4300 Road to Trout Lake Creek Road; south on Trout Lake Creek Road to SR 141; east and south on SR 141 to the intersection of SR 141 and Sunnyside Road to the point of beginning.

Elk Area No. 5063 Pumice Plain (Cowlitz and Skamania counties): That part of GMU 522 beginning at the confluence of the N. Fork Toutle River and Castle Creek; East along the N. Fork Toutle River to USFS trail 207; south along USFS trail 207 to USFS trail 216E; southwest along USFS trail 216E to USFS trail 216; west along USGS trail 216 to USGS 216G; northwest along USFS trail 216G to USGS trail 221; north along USFS 221 to Castle Creek; northwest along Castle Creek to N. Fork Toutle River and point of beginning.

Elk Area No. 5064 Upper Smith Creek (Skamania County): That part of GMU 522 beginning at the U.S. Forest Service Rd. 99 and U.S. Forest Service Trail 225 (Smith Creek Trail) junction; south on Trail 225 to Ape Canyon Creek; south and west up Ape Canyon Creek to U.S. Forest Service Trail 216 (Loowit Trail); north on Trail 216 to U.S. Forest Service Trail 216D (Abraham Trail); north on Trail 216D to U.S. Forest Service Trail 207 (Truman Trail); north and east on Trail 207 to U.S. Forest Service Rd. 99; north and east on U.S. Forest Service Rd. 99 to the junction of U.S. Forest Service Rd. 99 and U.S. Forest Service Trail 225 and the point of beginning.

Elk Area No. 5065 Mount Whittier (Skamania County): That part of GMU 522 beginning at the U.S. Forest Service Trail 1 (Boundary Trail) and U.S. Forest Service Trail 214 (Whittier Ridge Trail) junction; west on the U.S. Forest Service Trail 1 to U.S. Forest Service Trail 230 (Coldwater Trail); north on U.S. Forest Service Trail 230 to U.S. Forest Service Trail 211 (Lakes Trail); east on Trail 211 to U.S. Forest Service Trail 214; south on U.S. Forest Service Trail 214 to the junction of U.S. Forest Service Trail 214 and U.S. Forest Service Trail 1 and the point of beginning.

Elk Area No. 5090 JBH (Wahkiakum County): The mainland portion of the Julia Butler Hansen National Wildlife Refuge, as administered by the U.S. Fish and Wildlife Service as described: Beginning at the junction of State Route 4 and Steamboat Island Slough Road, northwest on Steamboat Island Slough Road to Brooks Slough Road, east on Brooks Slough Road to State Route 4, south on State Route 4 to Steamboat Slough Road and point of beginning.

Elk Area No. 5099 Mudflow (Cowlitz County): That part of GMU 522 (Loo-wit) that is within the boundary of the St. Helens Wildlife Area.

Elk Area No. 6010 Mallis (Pacific County): That part of GMUs 506, 672, and 673 within one mile either side of State Road 6 between the east end of Elk Prairie Road and the Mallis Landing Road.

Elk Area No. 6011 Centralia Mine (Lewis County): That portion of GMU 667 within Centralia Mine property boundary.

Elk Area No. 6012 Tri Valley (Grays Harbor and Mason counties): Those portions of GMUs 648 (Wynoochee) and 651 (Satsop) within one mile of Brady-Matlock Road from State Highway 12 north to the junction with Schaefer State Park Road (east Satsop Road) and all lands within one mile of Wynoochee Valley Road from State Highway 12 north to the junction with Cougar Smith Road, and all lands within one mile of Wishkah Valley Road from north Aberdeen city limit to the junction with Wishkah-East Hoquiam Road and all lands within 2 miles north of SR 12 between the Satsop River and Schouweiler and Hurd roads and then a line north from the end of Hurd Road to a point 2 miles north of SR 12.

Elk Area No. 6054 Puyallup River (Pierce County): Beginning at the intersection of the Mount Rainier National Park western boundary and the Nisqually River, west down Nisqually River to mouth of Mashel River; north up Mashel River to SR 161 bridge (Eatonville-LaGrande Rd); north on SR 161 through Eatonville to Orville Rd E (Kapowsin-Eatonville Rd); north on Orville Rd E to Hancock's Kapowsin Tree Farm ownership boundary at the north end of Ohop Lake (Kapowsin and Buckley Tree Farms map); east along Kapowsin Tree Farm boundary to Mount Rainier National Park boundary; south long Mount Rainier National Park boundary to Nisqually River and point of beginning.

Elk Area No. 6061 Twin Satsop Farms (Mason County): That portion of GMU 651 starting at the junction of the Deckerville Road and the Brady-Matlock Road; southwest to the junction with the West Boundary Road; north on West Boundary Road to the Deckerville Road; east on the Deckerville Road to the junction of Brady-Matlock Road and point of beginning. In addition, the area within a circle with a radius of two miles centered on the junction of State Route 108 and the Eich Road.

Elk Area No. 6062 South Bank (Grays Harbor County): That portion of GMU 660 (Minot Peak) described as follows: Beginning at Highway 12 and Wakefield Road Junction (South Elma); south on Wakefield Road, across the Chehalis River to the South Bank Road; southeast on the South Bank Road to Delezene Road; south on the Delezene Road to a point one mile from the South Bank Road; southeast along a line one mile southwest of the South Bank Road to the Oakville-Brooklyn Road; east on the Oakville-Brooklyn Road to Oakville and Highway 12; northwest on Highway 12 to Wakefield Road to Elma and the point of beginning.

Elk Area No. 6063 (Grays Harbor and Jefferson counties): Private lands within Elk Area 6064 east of Highway 101.

Elk Area No. 6064 Quinalt Valley (Grays Harbor and Jefferson counties): That portion of GMU 638 (Quinalt) within the Quinalt River watershed.

Elk Area No. 6066 Chehalis Valley (Grays Harbor County): That portion of GMU 660 (Minot Peak) beginning at Highway 12 and Highway 107 junction near Montesano; east and south on Highway 12 to Oakville; south on Oakville-Brooklyn Road to a point one mile west of South Bank Road; northwest along a line one mile southwest of South Bank Road to Delezene Road; north along Delezene Road to South Bank Road; northwest along South Bank Road to Wakefield Road; north on Wakefield Road to Chehalis River; west on Chehalis River to Highway 107 bridge; north on Highway 107 to Highway 12 and the point of beginning.

Elk Area No. 6067 North Minot (Grays Harbor County): The portion of GMU 660 (Minot Peak) beginning at the junction on State Route 107 and the Melbourne A-line, on the Melbourne A-line to the Vesta F-line; south on Vesta F-line to Vesta H-line (Vesta Creek Road); south on Vesta Creek Road to the North River Road; south and east on North River Road to the Brooklyn Road; east on Brooklyn Road to the Garrard Creek Road; east and north on Garrard Creek Road to the South Bank Road; east on South Bank to South State Street (Oakville); north on South State Street to U.S. 12; northwest and west on U.S. 12 to State Route 107; south and southwest on SR 107 to the Melbourne A-line and the point of beginning.

Elk Area No. 6068 Willapa (Grays Harbor County): That part of GMU 658 south of SR 105 between the intersection of SR 105 and Hammond Road and the SR 105 bridge over Smith Creek; and within one mile north of SR 105 west from Hammond Road and east of the SR 105 bridge over Smith Creek.

Elk Area No. 6069 Hanaford (Lewis and Thurston counties): That part of GMU 667 (Skookumchuck) beginning at the intersection of Salzer Valley Road and Centralia-Alpha Road; east and north on Salzer Valley Road to Little Hanaford Road; west on Little Hanaford Road to Teitzel Road; north on Teitzel Road to Big Hanaford Road; west on Big Hanaford Road to State Route 507; north on State Route 507 to Skookumchuck Road; east on Skookumchuck Road to the first bridge over the Skookumchuck River; east along the Skookumchuck River to the Skookumchuck Road bridge; east on Skookumchuck Road to the steel tower power line; southwest along the power line to Big Hanaford Road; east and south along Big Hanaford Road to Weyerhaeuser Road E150; east on Weyerhaeuser Road E150 to Weyerhaeuser Road E247; south and west on Weyerhaeuser Road E247 to Weyerhaeuser Road E240; south on Weyerhaeuser Road E240 to North Fork Road; south on North Fork Road to Centralia-Alpha Road; west on Centralia-Alpha Road to Salzer Valley Road and the point of beginning.

Elk Area No. 6071 Dungeness (Clallam County): Portions of GMUs 621 (Olympic) and 624 (Coyle) beginning at the

mouth of the Dungeness River; east and south along the coast of the Strait of Juan De Fuca to the mouth of Jimmycome-lately Creek on Sequim Bay; south and west up Jimmycome-lately Creek to Don Schmith Road; north on Don Schmith Road to Palo Alto Road; west and southwest on Palo Alto Road to US Forest Service Road 2880; southwest on US Forest Service Road 2880 to the Dungeness River; north down the Dungeness River to its mouth and the point of beginning.

Elk Area No. 6072 Sol Duc Valley (Clallam County): That portion of GMU 607 (Sol Duc) between the Sol Duc River and Hwy 101 from a point at the Sol Duc River bridge over Hwy 101 approximately 2 miles north of Forks to the westernmost Sol Duc River bridge over Hwy 101 at a point approximately 1 mile east of Lake Pleasant.

Elk Area No. 6073 Clearwater Valley (Jefferson County): That portion of GMU 615 (Clearwater) within one mile of the Clearwater Road from the Quinault Indian Reservation boundary to a point 4 miles to the north.

DEER AREAS

Deer Area No. 1010 (Columbia County): GMU 162 excluding National Forest land and the Rainwater Wildlife Area.

Deer Area No. 1020 Prescott (Columbia and Garfield counties): That portion of GMU 149 between Hwy 261 and Hwy 127.

Deer Area No. 1021 Clarkston (Asotin County): That portion of GMU 178 beginning at the junction of the Highway 12 bridge and Alpowa Creek; east on Highway 12 to Silcott Road; south and east on Silcott Road to Highway 128; southwest on Highway 128 to McGuire Gulch Road; southeast along the bottom of McGuire Gulch to Asotin Creek; east on Asotin Creek to the Snake River; north and west on the Snake River to Alpowa Creek; southwest of Alpowa Creek to the Highway 12 bridge and the point of beginning.

Deer Area No. 1030 Flat Creek (Stevens County): That portion of GMU 105, beginning at the junction of Northport-Flat Creek Rd (Co. 4005) and Bull Hill Rd; north on Bull Hill Rd to USFS Rd 240; north on USFS Rd 240 to USFS Rd 230 (Belshazzar Mtn Rd); east and north on USFS Rd 230 to East Boundary of Colville National Forest at Section 24; north on Forest Boundary to Sheep Creek Rd (USFS 15, Co. 4220); west on Sheep Creek Rd to USFS Rd 170 at Kiel Springs; south on USFS Rd 170 to Lael-Flat Creek Rd (USFS 1520); south on Lael-Flat Creek Rd (USFS 1520, Co. 4181) to Northport-Flat Creek Rd; north on Northport-Flat Creek Rd to Bull Hill Rd junction and point of beginning.

Deer Area No. 1040 Summit Lake (Stevens County): That portion of GMU 105, beginning at the intersection of Sand Creek Rd (Co. 4017) and the Kettle River at the Rock Cut Bridge; north and east on Sand Cr Rd to Lael-Flat Cr Rd (Co. 4181, USFS Churchill Mine Rd, 1520); east on Lael-Flat Cr Rd (Churchill Mine Rd) to intersection with USFS Rd 15 near Fisher Cr; north and east on USFS Rd 15 to USFS Rd 180; north and west on USFS Rd 180 and continue west on Box Canyon-Deep Creek Rd (USFS Rd 030, Co. 4212) to the intersection of Box Canyon-Deep Creek Rd and the Kettle

River; south on the Kettle River to the intersection of Sand Creek Rd and the Kettle River at the Rock Cut Bridge and the point of beginning.

Deer Area No. 2010 Benge (Adams County): That part of GMU 284 beginning at the town of Washtucna; north on SR 261 to Weber Road; east on Weber Road to Bengel Road; north on Bengel Road to Wellsandt Road; east on Wellsandt Road to McCall Road; east on McCall Road to Gering Road; east on Gering Road to Lakin Road; east on Lakin Road to Revere Road; south on Revere Road to Rock Creek; south along Rock Creek to the Palouse River; south and west along the Palouse River to SR 26; west on SR 26 to Washtucna and the point of beginning.

Deer Area No. 2011 Lakeview (Grant County): That part of GMU 272 beginning at the junction of SR 28 and First Avenue in Ephrata; west on First Avenue to Sagebrush Flats Road; west on Sagebrush Flats Road to Davis Canyon Road; north on Davis Canyon Road to E Road NW; north on E Road NW to the Grant-Douglas county line; east along the county line to the point where the county line turns north; from this point continue due east to SR 17; south on SR 17 to SR 28 at Soap Lake; south on SR 28 to the junction with First Avenue in Ephrata and the point of beginning.

Deer Area No. 2012 Methow Valley (Okanogan County): All private land in the Methow Watershed located outside the external boundary of the Okanogan National Forest and north of the following boundary: starting where the Libby Creek Road (County road 1049) intersects the Okanogan National Forest boundary; east on road 1049 to State Hwy 153; north on Hwy 153 to the Old Carlton Road; east on the Old Carlton Road to the Texas Creek Road (County road 1543); east on the Texas Creek Road to the Vintin Road (County road 1552); northeast on the Vintin Road to the Okanogan National Forest boundary.

Deer Area No. 3071 Whitcomb (Benton County): That part of GMU 373 made up by the Whitcomb Unit of the Umatilla National Wildlife Refuge.

Deer Area No. 3072 Paterson (Benton County): That part of GMU 373 made up by the Paterson Unit of the Umatilla National Wildlife Refuge.

Deer Area No. 3682 Ahtanum (Yakima County): That part of GMU 368 beginning at the power line crossing on Ahtanum Creek in T12N, R16E, Section 15; west up Ahtanum Creek to South Fork Ahtanum Creek; southwest up South Fork Ahtanum Creek to its junction with Reservation Creek; southwest up Reservation Creek and the Yakama Indian Reservation boundary to the main divide between the Diamond Fork drainage and Ahtanum Creek drainage; north along the crest of the main divide between the Diamond Fork drainage and the Ahtanum Creek drainage to Darland Mountain; northeast on US Forest Service Trail 615 to US Forest Service Road 1020; northeast on US Forest Service Road 1020 to US Forest Service Road 613; northeast on US Forest Service Road 613 to US Forest Service Trail 1127; northeast on US Forest Service Trail 1127 to US Forest Service Road 1302 (Jump Off Road), southeast of the Jump Off Lookout Station; northeast on US Forest Service Road 1302 (Jump

Off Road) to the power line in T14N, R15E, Section 33; southeast along the power line to Ahtanum Creek and the point of beginning.

Deer Area No. 4004 (San Juan County): That part of GMU 410 made up of Shaw Island.

Deer Area No. 4005 (San Juan County): That part of GMU 410 made up of Lopez Island.

Deer Area No. 4006 (San Juan County): That part of GMU 410 made up of Orcas Island.

Deer Area No. 4007 (San Juan County): That part of GMU 410 made up of Decatur Island.

Deer Area No. 4008 (San Juan County): That part of GMU 410 made up of Blakely Island.

Deer Area No. 4009 (Skagit County): That part of GMU 410 made up of Cypress Island.

Deer Area No. 4010 (San Juan County): That part of GMU 410 made up of San Juan Island.

Deer Area No. 4011 (Island County): That part of GMU 410 made up of Camano Island.

Deer Area No. 4012 (Island County): That part of GMU 410 made up of Whidbey Island.

Deer Area No. 4013 (King County): That part of GMU 454 made up of Vashon and Maury islands.

Deer Area No. 6014 (Pierce County): That part of GMU 652 made up of Anderson Island.

Deer Area No. 4926 Guemes (Skagit County): That part of GMU 407 (North Sound) on Guemes Island.

Deer Area No. 3088 High Prairie (Klickitat County): That portion of GMU 388 (Grayback) that is south of SR 142.

AMENDATORY SECTION (Amending Order 06-91, filed 5/8/06, effective 6/8/06)

WAC 232-28-342 2006-07, 2007-08, 2008-09 Small game seasons.

STATEWIDE SEASONS:

FOREST GROUSE (BLUE, RUFFED, AND SPRUCE)

Bag and Possession Limits: Three (3) grouse per day, straight or mixed bag, with a total of nine (9) grouse in possession at any time.

SEASON DATES: Sept. 1 - Dec. 31, 2006, 2007, 2008.

BOBCAT

Bag and Possession Limits: No limit.

SEASON DATES: Sept. 5, 2006 - Mar. 15, 2007; Sept. 4, 2007 - Mar. 15, 2008; Sept. 2, 2008 - Mar. 15, 2009.

RACCOON

Bag and Possession Limits: No limit.

OPEN AREA: Statewide, EXCEPT closed on Long Island within Willapa National Wildlife Refuge.

SEASON DATES: Sept. 5, 2006 - Mar. 15, 2007; Sept. 4, 2007 - Mar. 15, 2008; Sept. 2, 2008 - Mar. 15, 2009.

FOX

Bag and Possession Limits: No limit.

OPEN AREA: Statewide EXCEPT closed within the exterior boundaries of the Mount Baker-Snoqualmie, Okanogan, Wenatchee, and Gifford Pinchot National Forests and GMUs 407 and 410.

SEASON DATES: Sept. 5, 2006 - Mar. 15, 2007; Sept. 4, 2007 - Mar. 15, 2008; Sept. 2, 2008 - Mar. 15, 2009.

COYOTE

Bag and Possession Limits: No limit.

OPEN AREA AND SEASON DATES: Statewide, year round. Coyote may only be killed and/or pursued with hounds during the following period: Sept. 5, 2006 - Mar. 15, 2007; Sept. 4, 2007 - Mar. 15, 2008; Sept. 2, 2008 - Mar. 15, 2009, EXCEPT coyote may be hunted year round with hounds in Grant, Adams, Benton, and Franklin counties.

COTTONTAIL AND SNOWSHOE HARE (OR WASHINGTON HARE)

Bag and Possession Limits: Five (5) cottontails or snowshoe hares per day, with a total of fifteen (15) in possession at any time, straight or mixed bag.

SEASON DATES: Sept. 1, 2006 - Mar. 15, 2007; Sept. 1, 2007 - Mar. 15, 2008; Sept. 1, 2008 - Mar. 15, 2009.

CROWS

Bag and Possession Limits: No limit.

SEASON DATES: Oct. 1, 2006 - Jan. 31, 2007; Oct. 1, 2007 - Jan. 31, 2008; Oct. 1, 2008 - Jan. 31, 2009.

JACKRABBIT

Season closed statewide.

PTARMIGAN, SAGE, AND SHARP-TAILED GROUSE

Season closed statewide.

WILD TURKEY:

YOUTH SEASON

LEGAL BIRD: Gobblers and turkeys with visible beards only.

SEASON DATES: April 7-8, 2007; April 5-6, 2008; April 4-5, 2009.

SPRING SEASON

LEGAL BIRD: Gobblers and turkeys with visible beards only.

SEASON DATES: April 15 - May 31, 2007, 2008, 2009.

EARLY FALL GENERAL SEASON

LEGAL BIRD: Either sex.

LEGAL HUNTER: Open to all hunters with a valid turkey tag.

OPEN AREA: GMUs 101-((+24)) 133.

SEASON DATES: Sept. 23 - Oct. 6, 2006; Sept. 22 - Oct. 5, 2007; Sept. 27 - Oct. 3, 2008.

EARLY FALL PERMIT SEASON

LEGAL BIRD: Either sex.

LEGAL HUNTER: All hunters who are selected in the early fall turkey special permit drawing and who possess a valid turkey tag.

OPEN AREA: GMUs 127, 133, 145-186, 382, 388, 568-578.

SEASON DATES: Sept. 23 - Oct. 6, 2006; Sept. 22 - Oct. 5, 2007; Sept. 27 - Oct. 3, 2008.

Permit Area	Number of Permits
((GMU 127	150
GMU 133	200))
GMUs 149-163	((200)) 300
GMUs 145, 172-186	((100)) 200
GMUs 382, 388, 568-578	75

LATE FALL PERMIT SEASON

LEGAL BIRD: Either sex.

LEGAL HUNTER: All hunters who are selected in the special late fall turkey permit drawing and who possess a valid turkey tag.

OPEN AREA: GMUs 101-124.

SEASON DATES: Nov. 20 - Dec. 15, 2006, 2007, 2008.

PERMITS: 800.

HUNTER EDUCATION INSTRUCTOR INCENTIVE PERMITS

LEGAL BIRD: Gobblers and turkeys with visible beards only.

LEGAL HUNTER: Qualified hunter education instructors who are selected through a random drawing. Qualifying hunter education instructors must be certified and have been in active status for a minimum of three consecutive years, inclusive of the year prior to the permit drawing. Instructors who are drawn, accept a permit, and are able to participate in the hunt, will not be eligible for these incentive permits for a period of ten years thereafter.

OPEN AREA: Statewide.

SEASON DATES: April 1 - May 31, 2007, 2008, 2009.

PERMITS: 2.

OFFICIAL HUNTING HOURS/BAG LIMITS FOR WILD TURKEY:

SPRING SEASON BAG LIMIT: The combined spring season limit is three (3) birds. Only two (2) turkeys may be killed in Eastern Washington, except only one (1) may be killed in Chelan, Kittitas, or Yakima counties. One (1) turkey may be killed per year in Western Washington outside of Klickitat County. Two (2) turkeys may be killed in Klickitat County.

EARLY FALL SEASON BAG LIMIT: One (1) turkey during the early fall hunting seasons combined.

LATE FALL PERMIT SEASON BAG LIMIT: One (1) turkey during the late fall permit season.

HUNTING HOURS: One-half hour before sunrise to sunset during spring and fall seasons.

SPECIAL REGULATIONS FOR WILD TURKEY:

1. Turkey season is open for shotgun, archery, and muzzle-loader shotgun.
2. A turkey tag is required for hunting turkey.
3. It is unlawful to use dogs to hunt turkeys.
4. It is unlawful to bait game birds.

EASTERN WASHINGTON SEASONS:

RING-NECKED PHEASANT

Bag and Possession Limits: Three (3) cock pheasants per day, with a total of fifteen (15) cock pheasants in possession at any time.

YOUTH SEASON DATES: Sept. 23 and 24, 2006; Sept. 22 and 23, 2007; Sept. 20 and 21, 2008. Open only to youth hunters accompanied by an adult at least 18 years old.

REGULAR SEASON DATES: Oct. 21, 2006 - Jan 15, 2007; Oct. 20, 2007 - Jan. 21, 2008; Oct. 18, 2008 - Jan. 19, 2009.

The director is authorized to close the pheasant season on an emergency basis as conditions warrant, consistent with RCW 34.05.350 and 77.12.150.

CHUKAR

Bag and Possession Limits: Six (6) chukar per day, with a total of eighteen (18) chukar in possession at any time.

YOUTH SEASON DATES: Sept. 23 and 24, 2006; Sept. 22 and 23, 2007; Sept. 20 and 21, 2008. Open only to youth hunters accompanied by an adult at least 18 years old.

REGULAR SEASON DATES: Oct. 7, 2006 - Jan 15, 2007; Oct. 6, 2007 - Jan. 21, 2008; Oct. 4, 2008 - Jan. 19, 2009.

GRAY (HUNGARIAN) PARTRIDGE

Bag and Possession Limits: Six (6) gray partridges per day, with a total of eighteen (18) gray partridges in possession at any time.

YOUTH SEASON DATES: Sept. 23 and 24, 2006; Sept. 22 and 23, 2007; Sept. 20 and 21, 2008. Open only to youth hunters accompanied by an adult at least 18 years old.

REGULAR SEASON DATES: Oct. 7, 2006 - Jan 15, 2007; Oct. 6, 2007 - Jan. 21, 2008; Oct. 4, 2008 - Jan. 19, 2009.

MOUNTAIN QUAIL

Season closed throughout Eastern Washington.

CALIFORNIA (VALLEY) QUAIL AND NORTHERN BOBWHITE

Bag and Possession Limits: Ten (10) quail per day, with a total of thirty (30) quail in possession at any time, straight or mixed bag.

YOUTH SEASON DATES: Sept. 23 and 24, 2006; Sept. 22 and 23, 2007; Sept. 20 and 21, 2008. Open only to youth hunters accompanied by an adult at least 18 years old.

REGULAR SEASON DATES: Oct. 7, 2006 - Jan 15, 2007; Oct. 6, 2007 - Jan. 21, 2008; Oct. 4, 2008 - Jan. 19, 2009.

WESTERN WASHINGTON SEASONS:

RING-NECKED PHEASANT

Bag and Possession Limits: Two (2) pheasants of either sex per day, with a total of fifteen (15) pheasants in possession at any time.

YOUTH SEASON DATES: Sept. 23 and 24, 2006; Sept. 22 and 23, 2007; Sept. 20 and 21, 2008. Open only to youth hunters accompanied by an adult at least 18 years old.

HUNTERS SIXTY-FIVE YEARS OF AGE OR OLDER SEASON DATES: Sept. 25-29, 2006; Sept. 24-28 - 2007; Sept. 22-26, 2008.

REGULAR SEASON DATES: Sept. 30 - Nov. 30, 2006; Sept. 29 - Nov. 30, 2007; Sept. 27 - Nov. 30, 2008. 8 a.m. to 4 p.m.; EXCEPT Dungeness Recreation Area Site (Clallam County) starting Oct. 7, 2006; Oct. 6, 2007; Oct. 4, 2008.

EXTENDED SEASON DATES: Dec. 1-15, 2006, 2007, 2008. 8 a.m. to 4 p.m. only on the following release sites: Belfair, Fort Lewis, Kosmos, Lincoln Creek, Scatter Creek, Skookumchuck, and all Whidbey Island release sites EXCEPT Bayview. Pheasants will not be released during the extended season.

A Western Washington Pheasant Permit is required to hunt pheasant in Western Washington, in addition to a current small game hunting license. Pheasant kills must be recorded. Upon taking a pheasant, the holder of a Western Washington Pheasant Permit must immediately enter on the corresponding space the date and location of kill.

There are three license options available:

(1) **Full Season Option:** Allows the harvest of eight (8) pheasants.

(2) **Youth Option:** Allows the harvest of eight (8) pheasants by youth hunters.

(3) **3-Day Option:** Allows the harvest of four (4) pheasants harvested over three consecutive days.

Every person possessing a Western Washington Pheasant Permit must, by December 31, return the permit to the department of fish and wildlife. The number of permits purchased per year is not limited.

A hunter shall select one valid option at the time they purchase their Western Washington Pheasant Permit. It is unlawful to purchase an additional permit until the pheasants allowed on the current permit are taken.

SPECIAL RESTRICTION: Western Washington pheasant hunters must choose to hunt on either odd-numbered or even-numbered weekend days from 8:00 - 10:00 a.m. at all units of Lake Terrell, Tenant Lake, Snoqualmie, Skagit, Skookumchuck, and Scatter Creek Wildlife Areas, all hunting sites on Whidbey Island, and at the Dungeness Recreation Area, and

must indicate their choice on the Western Washington Pheasant Permit by choosing "odd" or "even." Hunters who select the three day option, hunters 65 years of age or older, and youth hunters may hunt during either weekend day morning. Youth hunters must be accompanied by an adult at least 18 years old who must have an appropriately marked pheasant permit if hunting.

MOUNTAIN QUAIL

Bag and Possession Limits: Two (2) mountain quail per day, with a total of four (4) mountain quail in possession at any time.

SEASON DATES: Oct. 7 - Nov. 30, 2006; Oct. 6 - Nov. 30, 2007; Oct. 4 - Nov. 30, 2008.

CALIFORNIA (VALLEY) QUAIL AND NORTHERN BOBWHITE

Bag and Possession Limits: Ten (10) California (valley) quail or northern bobwhite per day, with a total of thirty (30) California (valley) quail or northern bobwhite in possession at any time, straight or mixed bag.

SEASON DATES: Oct. 7 - Nov. 30, 2006; Oct. 6 - Nov. 30, 2007; Oct. 4 - Nov. 30, 2008.

FALCONRY SEASONS:

UPLAND GAME BIRD AND FOREST GROUSE - FALCONRY

Bag and Possession Limits: Two (2) pheasants (either sex), six (6) partridge, five (5) California (valley) quail or northern bobwhite, two (2) mountain quail (in Western Washington only), and three (3) forest grouse (blue, ruffed, spruce) per day. Possession limit is twice the daily bag limit.

OPEN AREA: Statewide.

SEASON DATES: Aug. 1, 2006 - Mar. 15, 2007; Aug. 1, 2007 - Mar. 15, 2008; Aug. 1, 2008 - Mar. 15, 2009.

TURKEY - FALCONRY

A turkey tag is required to hunt turkey during the turkey falconry season.

Bag and Possession Limits: One (1) turkey (either sex) per turkey tag with a maximum of two (2) turkeys. Possession limit: Two (2).

OPEN AREA: Eastern Washington.

SEASON DATES: Sept. 1, 2006 - Feb. 15, 2007; Sept. 1, 2007 - Feb. 15, 2008; Sept. 1, 2008 - Feb. 15, 2009.

MOURNING DOVE - FALCONRY

Bag and Possession Limits: Three (3) mourning doves per day straight bag or mixed bag with snipe, coots, ducks, and geese during established seasons. Possession limit is twice the daily limit.

OPEN AREA: Statewide.

SEASON DATES: Sept. 1-15 and Oct. 1 - Dec. ((3+)) 16, 2006, 2007, 2008.

COTTONTAIL AND SNOWSHOE HARE - FALCONRY

Bag and Possession Limits: Five (5) cottontails or snowshoe hares per day, straight or mixed bag. Possession limit: Fifteen (15).

OPEN AREA: Statewide.

SEASON DATES: Aug. 1, 2006 - Mar. 15, 2007; Aug. 1, 2007 - Mar. 15, 2008; Aug. 1, 2008 - Mar. 15, 2009.

OTHER SEASONS:**CANADA GOOSE SEPTEMBER SEASON**

Bag and Possession Limits: Western Washington, except Cowlitz and Wahkiakum counties and that part of Clark County north of the Washougal River: Five (5) Canada geese per day with a total of ten (10) in possession at any time.

Cowlitz and Wahkiakum counties and that part of Clark County north of the Washougal River: Three (3) Canada geese per day with a total of six (6) in possession at any time.

Eastern Washington: Three (3) Canada geese per day with a total of six (6) in possession at any time.

WESTERN WASHINGTON SEASON DATES: Sept. 9-14, 2006; Sept. 8-13, 2007; Sept. 6-11, 2008. EXCEPT Pacific ((~~and Grays Harbor counties~~) County): Sept. 1-15, 2006, 2007, and 2008.

EASTERN WASHINGTON SEASON DATES: Sept. 9-10, 2006; Sept. 8-9, 2007; Sept. 6-7, 2008.

MOURNING DOVE

Bag and Possession Limits: Ten (10) mourning doves per day with a total of twenty (20) mourning doves in possession at any time.

OPEN AREA: Statewide.

SEASON DATES: Sept. 1-((15)) 30, 2006, 2007, 2008.

HIP REQUIREMENTS:

All hunters age 16 and over of migratory game birds (duck, goose, coot, snipe, mourning dove) are required to complete a Harvest Information Program (HIP) survey at a license dealer, and possess a Washington Migratory Bird validation as evidence of compliance with this requirement when hunting migratory game birds. Youth hunters are required to complete a HIP survey, and possess a free Washington Youth Migratory Bird validation as evidence of compliance with this requirement when hunting migratory game birds.

BAND-TAILED PIGEON

Bag and Possession Limits: Two (2) band-tailed pigeons per day with a total of four (4) band-tailed pigeons in possession at one time.

OPEN AREA: Statewide.

SEASON DATES: Sept. 15-23, 2006, 2007, 2008.

WRITTEN AUTHORIZATION REQUIRED TO HUNT BAND-TAILED PIGEONS.

All persons hunting band-tailed pigeons in this season are required to obtain a written authorization and harvest report from the Washington department of fish and wildlife. Application forms must be delivered to a department of fish and wildlife office no later than August 25 or postmarked on or before August 25 in order for applicants to be mailed an authorization before the season starts. Immediately after taking a band-tailed pigeon into possession, hunters must record in ink the information required on the harvest report. By October 15, hunters must return the harvest report to a department of fish and wildlife office, or report harvest information on the department's internet reporting system. Hunters failing to comply with reporting requirements will be ineligible to participate in the following band-tailed pigeon season.

BIRD DOG TRAINING SEASON

Wild upland game birds may be pursued during the dog-training season, but may not be killed except during established hunting seasons. A small game license is required to train dogs on wild game birds. A small game license and a Western Washington Pheasant Permit is required to train dogs on pheasants in Western Washington. Captive raised game birds may be released and killed during dog training if proof of lawful acquisition (invoices) are in possession and the birds are appropriately marked (WAC 232-12-271 and 232-12-044).

OPEN AREA: Statewide.

SEASON DATES: Aug. 1, 2006 - Mar. 31, 2007; Aug. 1, 2007 - Mar. 31, 2008; Aug. 1, 2008 - Mar. 31, 2009.

Only youth and seniors may train dogs during their respective seasons on designated Western Washington pheasant release sites.

Bird dog training may be conducted year round on areas posted for bird dog training on portions of: Region One - Espanola (T24N, R40E, E 1/2 of section 16); Region Three - South L. T. Murray Wildlife Area; Region Four - Skagit Wildlife Area, Lake Terrell Wildlife Area, and Snoqualmie Wildlife Area; Region Five - Shillapoo/Vancouver Lake Wildlife Area; Region Six - Scatter Creek Wildlife Area, Fort Lewis Military Base.

HOUND HUNTING DURING DEER AND ELK HUNTING SEASONS

It is unlawful to hunt any wildlife at night or wild animals with dogs (hounds) during the months of September, October, or November in any area open to a modern firearm deer or elk season. The use of hounds to hunt black bear, cougar (EXCEPT by public safety cougar removal permit (WAC 232-12-243) or a commission authorized hound permit (WAC 232-28-285)), and bobcat is prohibited year round.

YAKAMA INDIAN RESERVATION:

The 2006-07, 2007-08, 2008-09 upland bird seasons within the Yakama Indian Reservation shall be the same as the season established by the Yakama Indian Nation.

COLVILLE INDIAN RESERVATION:

The 2006-07, 2007-08, 2008-09 upland bird seasons within the Colville Indian Reservation shall be the same as the season established by the Colville Indian Tribe.

AMENDATORY SECTION (Amending Order 07-62, filed 5/3/07, effective 6/3/07)**WAC 232-28-351 2006-2008 Deer general seasons and definitions.**

Bag Limit: One (1) deer per hunter during the license year except where otherwise permitted by Fish and Wildlife Commission rule.

Hunting Method: Hunters must select one of the hunting methods (modern firearm, archery, muzzleloader).

Any Buck Deer Seasons: Open only to the taking of deer with visible antlers (buck fawns illegal).

Antler Point: To qualify as an antler point, the point must be at least one inch long measured on the longest side.

Antler Restrictions: APPLIES TO ALL HUNTERS DURING ANY GENERAL SEASON AND DESIGNATED SPECIAL PERMIT SEASONS! Buck deer taken in antler restricted GMUs must meet minimum antler point requirements. Minimum antler point requirements are antler points on one side only. Eye guards are antler points when they are at least one inch long.

2 Point minimum GMUs: 437, 574, 578, 636, 654, and 681.

3 Point minimum GMUs: All mule deer in 100, 200, and 300 series GMUs; white-tailed deer in GMUs 127, 130, 133, 136, 139, 142, 145, 149, 154, 162, 163, 166, 169, 172, 175, 178, 181, and 186.

Permit Only Units: The following GMUs require a special permit to hunt deer: 290 (Desert), 329 (Quilomene), 371 (Alkali), and 485 (Green River).

Hunt Season	2006 Dates	2007 Dates	2008 Dates	Game Management Units (GMUs)	Legal Deer
HIGH BUCK HUNTS					
	Sept. 15-25	Sept. 15-25	Sept. 15-25	Alpine Lakes, Glacier Peak, Pasayten, Olympic Peninsula, and Henry Jackson Wilderness Areas and Lake Chelan Recreation Area	3 pt. min.
GENERAL SEASON HUNTS					
Western Washington Blacktail Deer	Oct. 14-31	Oct. 13-31	Oct. 11-31	407, 418, 426, 448 through 466, 501 through 520, 524 through 556, 560, 568, 572, 601 through 633, 638 through 653, 658 through 673, 684	Any buck
				GMUs 410, 564, Deer Areas 4013, 4926, and 6014	Any deer
				437, 574, 578, 636, 654, 681	2 pt. min.
Eastern Washington Whitetail Deer	Oct. 14-27	Oct. 13-26	Oct. 11-24	105 through 124	Any whitetail buck
	Oct. 14-22	Oct. 13-21	Oct. 11-19	All 200 and 300 series GMUs except permit-only in 290, 329, and 371	Any whitetail buck
	Oct. 14-29	Oct. 13-28	Oct. 11-26	101, 204	Any whitetail buck
	Oct. 14-22	Oct. 13-21	Oct. 11-19	127 through 154, 162 through 186	Whitetail, 3 pt. min.
				379	Any white-tailed deer

Hunt Season	2006 Dates	2007 Dates	2008 Dates	Game Management Units (GMUs)	Legal Deer
Eastern Washington Mule Deer	Oct. 14-22	Oct. 13-21	Oct. 11-19	All 100, 200, and 300 series GMUs, except permit only in GMUs 290, 329, and 371, and closed in GMU 157	Mule deer, 3 pt. min.
				379	Any mule deer
	Oct. 14-27	Oct. 13-26	Oct. 11-24	373, 382, 388	Mule deer, 3 pt. min.
LATE BUCK HUNTS					
Western Washington Blacktail Deer	Nov. 16-19	Nov. 15-18	Nov. 13-16	407, 410, 454, 466, and 500, and 600 series GMUs except closed in GMUs 522, 574, and 578	Any buck except 2 pt. min. in GMUs 636, 654, and 681
	Nov. 16-19	Nov. 15-18	Nov. 13-16	GMUs 410 and 564, Deer Areas 4013, 4926, 6014	Any deer
Eastern Washington Whitetail Deer	Nov. 6-19	Nov. 5-19	Nov. 3-19	105 through 124	Any whitetail buck
YOUTH & DISABLED HUNTERS					
Eastern Washington Whitetail Deer	Oct. 28 - Nov. 5	Oct. 27 - Nov. 4	Oct. 25 - Nov. 2	105 through 124	Whitetail, antlerless only
HUNTERS 65 AND OVER, DISABLED, OR YOUTH SEASONS					
Eastern Washington Whitetail Deer	Oct. 14-27 & Nov. 6-19	Oct. 13-26 & Nov. 5-19	Oct. 11-24 & Nov. 3-19	105 through 124	Any whitetail deer
	Oct. 14-29	Oct. 13-28	Oct. 11-26	101	Any whitetail deer
	Oct. 14-22	Oct. 13-21	Oct. 11-19	127 through 142, 145 through 154, ((162)) Deer Area 1010, and 172 through 181	Whitetail, 3 pt. min. or antlerless
ADVANCED HUNTER EDUCATION (AHE) MASTER HUNTER SEASON					
Eastern Washington Whitetail Deer	Dec. 9-15	Dec. 9-15	Dec. 9-15	GMUs 130-142	Whitetail, antlerless only

ARCHERY DEER SEASONS**License Required:** A valid big game hunting license, which includes a deer species option.**Tag Required:** Valid archery deer tag on his/her person for the area hunted.**Special Notes:** Archery tag holders can only hunt during archery seasons with archery equipment (WAC 232-12-054).

Hunt Area	2006 Dates	2007 Dates	2008 Dates	Game Management Units (GMUs)	Legal Deer
Early Archery Deer Seasons					
Western Washington Blacktail Deer	Sept. 1-30	Sept. 1-30	Sept. 1-30	407 through 426, 448 through 466, 501 through 520, 524 through 556, 560, 564, 568, 572, 601 through 633, 638 through 653, 658 through 673, 684 and 699 437, 574, 578, 636, 654, 681	Any Deer, except buck only in GMUs 460, 503, 506, 530, 550, 673 2 pt. min. or antlerless
Eastern Washington Mule Deer	Sept. 1-30	Sept. 1-30	Sept. 1-30	105 through 127, 162, 163, 166, 169, 243, 328, 334 through 340, 346 through 368 142 through 154, and 172 through 186, Deer Area 1010, 244 through 247, 249 through 251, 260, 372, 373, 388 379, 381	3 pt. min. 3 pt. min. or antlerless Any mule deer
				101, 130 through 139, 204 through 242, 248, 254, 262, 266, 269, 272, 278, 284, 382	3 pt. min.
				101, 130 through 139, 204 through 242, 248, 254, 262, 266, 269, 272, 278, 284, 382	3 pt. min. or antlerless
	Sept. 1-15	Sept. 1-15	Sept. 1-15	101 through 124, 204 through 284, 379, 381	Any whitetail deer
Eastern Washington Whitetail Deer	Sept. 1-30	Sept. 1-30	Sept. 1-30	127 through 154, 162 through 186	Whitetail, 3 pt. min. or antlerless
Late Archery Deer Seasons					
Western Washington Blacktail Deer	Nov. 22 - Dec. 8	Nov. 21 - Dec. 8	Nov. 19 - Dec. 8	437, 654	2 pt. min. or antlerless
	Nov. 22 - Dec. 15	Nov. 21 - Dec. 15	Nov. 19 - Dec. 15	636, 681	2 pt. min. or antlerless
	Nov. 22 - Dec. 15	Nov. 21 - Dec. 15	Nov. 19 - Dec. 15	466, 510 through 520, 524, 556, 601, 607 through 618, 638, 648, and 699	Any deer
	Nov. 22 - Dec. 15	Nov. 21 - Dec. 15	Nov. 19 - Dec. 15	460, 506, 530, 560, 572	Buck only
	Nov. 22 - Dec. 31	Nov. 21 - Dec. 31	Nov. 19 - Dec. 31	407, 410, 454, 505, 564, 603, 624, 627, 642, 652, 660 through 672	Any deer

Hunt Area	2006 Dates	2007 Dates	2008 Dates	Game Management Units (GMUs)	Legal Deer
Eastern Washington Mule Deer	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	209, 215, 233, 243, 346, 352, 364, ((368)) <u>Deer Area 3682</u>	3 pt. min.
				145, 163, 178, 250	3 pt. min. or antlerless
				272, 278, 373, 381, 388	3 pt. min. or antlerless
	Nov. 20-30	Nov. 20-30	Nov. 20-30	133, 136	Antlerless
	Dec. 9-31	Dec. 9-31	Dec. 9-31	Dear Area 1021	3 pt. min. or antlerless
Eastern Washington Whitetail Deer	Nov. 10 - Dec. 15	Nov. 10 - Dec. 15	Nov. 10 - Dec. 15	101	Any whitetail deer
	Nov. 20 - Dec. 15	Nov. 20 - Dec. 15	Nov. 20 - Dec. 15	105, 108, 117, 121, 124	Any whitetail deer
				127	3 pt. min. or antlerless whitetail
	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	145, 163, 178	3 pt. min. or antlerless whitetail
				204, 209, 215, 233, 243, 250, 272, 278	Any whitetail deer
	Nov. 20-30	Nov. 20-30	Nov. 20-30	133, 136	Antlerless

MUZZLELOADER DEER SEASONS

License Required: A valid big game hunting license, which includes a deer species option.

Tag Required: Valid muzzleloader deer tag on his/her person for the area hunted.

Hunting Method: Muzzleloader only.

Special Notes: Muzzleloader tag holders can only hunt during muzzleloader seasons and must hunt with muzzleloader equipment.

Hunt Area	2006 Dates	2007 Dates	2008 Dates	Game Management Units (GMUs)	Legal Deer
High Buck Hunts	Sept. 15-25	Sept. 15-25	Sept. 15-25	Alpine Lakes, Glacier Peak, Pasayten, Olympic Peninsula, and Henry Jackson Wilderness areas, and Lake Chelan Recreation Area	3 pt. min.
Early Muzzleloader Deer Seasons					
Western Washington Blacktail Deer	Oct. 7-13	Oct. 6-12	Oct. 4-10	407, 418, 426, 448, 450, 501, 504, 505, 513, 520, 530, 554, 568, 603, 612, 624, 638, 642, 660, 663, 672, 673, 684	Any buck
				410, 454, 564, 627, 652, 666, Deer Area 4926	Any deer
				437, 578	2 pt. min.
Eastern Washington Whitetail Deer	Oct. 7-13	Oct. 6-12	Oct. 4-10	204, 209, 233, 239, 242, 243, 244, 245, 246, 250, 251, 278, 284	Whitetail, any buck
				133, 142, 145, 149, 181, 381	Whitetail, 3 pt. min. or antlerless
				101 through 124, 379	Whitetail, any deer
Eastern Washington Mule Deer	Oct. 7-13	Oct. 6-12	Oct. 4-10	101 through 124, 133, 142, 145, 149, 181, 204, 209, 233, 239, 242, 243, 244, 245, 246, 250, 251, 284, 328, 330 through 342, 352 through 360, 368, 382	Mule deer, 3 pt. min.
				278, 381	Mule deer, 3 pt. min. or antlerless
				379	Any mule deer
Late Muzzleloader Deer Seasons					
Western Washington Blacktail Deer	Nov. 22 - Dec. 15	Nov. 21 - Dec. 15	Nov. 19 - Dec. 15	407, 410, 501, 504, 564, 633, 666, 684, and Deer Area 4926	Any deer
				654	2 pt. min.
				460, 550, 602	Any buck
	Nov. 21 - Dec. 6	Nov. 19 - Dec. 6	651, 673		Any buck
	Dec. 7 - 15	Dec. 7 - 15	651, 673		Any deer
	Dec. 1-15	Dec. 1-15	578		2 pt. min.
Eastern Washington Whitetail Deer	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	113, 379	Whitetail, any deer
				172, 181	Whitetail, 3 pt. min. or antlerless
	Nov. 20-30	Nov. 20-30	Nov. 20-30	130, 139	Whitetail, 3 pt. min. or antlerless
Eastern Washington Mule Deer	Nov. 20-30	Nov. 20-30	Nov. 20-30	382	3 pt. min.
	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	130	Antlerless
				379	Any mule deer

AMENDATORY SECTION (Amending Order 07-62, filed 5/3/07, effective 6/3/07)

WAC 232-28-352 2006-2008 Elk general seasons and definitions.

Bag Limit: One (1) elk per hunter during the license year except where otherwise permitted by fish and wildlife commission rule.

Hunting Method: Elk hunters must select only one of the hunting methods (modern firearm, archery, or muzzleloader).

Elk Tag Areas: Elk hunters must choose either Eastern or Western Washington to hunt in and buy the appropriate tag for that area.

Any Bull Elk Seasons: Open only to the taking of elk with visible antlers (bull calves are illegal).

Antler Point: To qualify as an antler point, the point must be at least one inch long measured on the longest side.

Spike Bull Antler Restrictions: Bull elk taken in spike only GMUs must have at least one antler with only one antler point above the ear. An animal with more than one antler point above the ears on both antlers is illegal.

Spike Only GMUs: 145-154, 162-186, 249, 251, 328, 329, and 335-368.

3 Point Antler Restrictions: Legal bull elk must have at least 3 antler points on one side with at least 2 antler points above the ear. Eye guards are antler points when they are at least one inch long. Antler restrictions apply to all hunters during any open season.

3 Point GMUs: All of Western Washington except for GMUs 454, 564, 568, 574, 578, 652 for archers, 666, 684, and Elk Area 4941.

Permit Only Units: The following GMUs are closed during general seasons: 157, 371, 418, 485, 522, 524, 556, 621, 636, 653, and Elk Area 3068.

GMUs Closed to Elk Hunting: 437 (except for Elk Area 4941), and 490.

Elk Tag Areas

Eastern Washington: All 100, 200, and 300 GMUs except permit only for all hunters in GMUs 157 and 371. Modern firearms are restricted in GMU 334.

EA - Eastern Washington Archery Tag

EF - Eastern Washington Modern Firearm General Elk Tag

EM - Eastern Washington Muzzleloader Tag

Western Washington: All 400, 500, and 600 GMUs except closed in GMUs 418, 437 (except for Elk Area 4941), 490, and modern firearm restrictions in portions of GMU 660. GMU 554 is open only for early archery and muzzleloader seasons. Elk Area 6064 in GMU 638 (Quinault) is open to AHE master hunters only. Elk hunting by permit only in GMUs 485, 522, 524, 556, 621, and 636.

WA - Western Washington Archery Tag

WF - Western Washington Modern Firearm General Elk Tag

WM - Western Washington Muzzleloader Tag

Modern Firearm Elk Seasons

License Required: A valid big game hunting license with an elk tag option.

Tag Required: Valid modern firearm elk tag as listed below on his/her person for the area hunted.

Hunting Method: May use modern firearm, bow and arrow, or muzzleloader, but only during modern firearm seasons.

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2006 Dates	2007 Dates	2008 Dates	Legal Elk
Eastern Washington	EF	111, 113, 117	Oct. 28 - Nov. 5	Oct. 27 - Nov. 4	Oct. 25 - Nov. 2	Any bull
		145 through 154, 162 through 186, 249, 251, 328, 329, 335 through 368	Oct. 28 - Nov. 5	Oct. 27 - Nov. 4	Oct. 25 - Nov. 2	Spike bull
		Elk Area 3722*	Sept. 9-22	Sept. 8-21	Sept. 6-19	Antlerless
		101, 105, 108, 121 through 142, 372, 382, 388	Oct. 28 - Nov. 5	Oct. 27 - Nov. 4	Oct. 25 - Nov. 2	Any elk
		127-142 AHE master hunters only	Dec. 9-31	Dec. 9-31	Dec. 9-31	Any elk
		203 through 248, 250, 254 through 290, 373, 379, 381 except closed within 1/2 mile of the Columbia River in Douglas and Grant counties	Oct. 28 - Nov. 15	Oct. 27 - Nov. 15	Oct. 25 - Nov. 15	Any elk
		371, Elk Areas 3911((**)) and 3912 AHE master hunters only	Aug. 1 - Jan. 30	Aug. 1 - Jan. 30	Aug. 1 - Jan. ((30)) <u>2009</u>	Antlerless only

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2006 Dates	2007 Dates	2008 Dates	Legal Elk
		<u>Elk Area 3911**AHE master hunters only.</u> <u>2nd tag</u>			<u>Aug. 1 - Oct. 24</u>	<u>Antlerless only</u>
*GMU 372 and Elk Area 3722 are mainly private property, hunters are not advised to try hunting these areas without making prior arrangements for access.						
**Advanced Hunter Education Master Hunters who hunt in Elk Area 3911 may purchase an AHE, Elk Area 3911, second elk transport tag. Any legal weapon may be used. AHE, Elk Area 3911 second elk transport tags will be valid only for Elk Area 3911 ((for the time period listed above)) from August 1 - October 24. All hunters participating in the Elk Area 3911 hunt must wear hunter orange.						
Western Washington	WF	407, 448, 460, 466, 503 through 520, 530, 550, 560, 572, 601 through 618, 624 (except for Elk Area 6071), 627 through 633, 638 through 652, 654 through 684. Except AHE master hunters only in Elk Area 6064	Nov. 4-13	Nov. 3-12	Nov. 1-10	3 pt. min.
		501	Nov. 4-13	Nov. 3-12	Nov. 1-10	3 pt. min. or antlerless
		564, 568, 574 through 578, 666	Nov. 4-13	Nov. 3-12	Nov. 1-10	Any elk
		454	Nov. 4-13	Nov. 3-12	Nov. 1-10	Any bull

Archery Elk Seasons**License Required:** A valid big game hunting license with an elk tag option.**Tag Required:** Valid archery elk tag as listed below on his/her person for the area hunted.**Hunting Method:** Bow and arrow only as defined by WAC 232-12-054.**Special Notes:** Archery tag holders can hunt only during archery seasons and must hunt with archery equipment (WAC 232-12-054). Archery elk hunters may apply for special bull permits. Please see permit table for tag eligibility for all elk permits.

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2006 Dates	2007 Dates	2008 Dates	Legal Elk
Early Archery Elk Seasons						
Eastern Washington	EA	101 through 142, 243, 247, 249, 250, 388	Sept. 8-21	Sept. 8-21	Sept. 8-21	Any elk
		145, 162, 166 through 172, 181, 186, 328, 329, 335	Sept. 8-21	Sept. 8-21	Sept. 8-21	Spike bull
		149, 154, Elk Area 1010, Elk Area 1013, 163, 175, 178, 330, 334, 336, 340, 352, 356, 364	Sept. 8-21	Sept. 8-21	Sept. 8-21	Spike bull or antlerless
Western Washington	WA	454, 564, 568, 574, 578, 652, 666	Sept. 8-21	Sept. 8-21	Sept. 8-21	Any elk
		407, 448, 501 through 505, 520, 550, 554, 560, 572, 624, except for Elk Area 6071, Elk Area 6061, 654, 660, 663, 667 through 673, 684, and 699	Sept. 8-21	Sept. 8-21	Sept. 8-21	3 pt. min. or antlerless
		460, 466, 506, 510, 513, 516, 530, 601, 602, 603, 607, 612 through 618, 627, 633, 638 through 648, 651, 658, and 681. AHE master hunters only in Elk Area 6064	Sept. 8-21	Sept. 8-21	Sept. 8-21	3 pt. min.
		Elk Area 4941	Oct. 1-31	Oct. 1-31	Oct. 1-31	Any elk
Late Archery Elk Seasons						
Eastern Washington	EA	101, 105, 108, 117 through 127, 388	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Any elk
		178	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Antlerless only

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2006 Dates	2007 Dates	2008 Dates	Legal Elk
		127-142 AHE master hunters only. Must wear hunter orange	Dec. 9-31	Dec. 9-31	Dec. 9-31	Any elk
		Elk Area 1010, 163	Dec. 9 - Jan. 30	Dec. 9 - Jan. 30	Dec. 9 - Jan. ((30)) <u>20</u> 2009	Antlerless only
		203 through 248, 250, 254 through 290, 373, 379, 381 except closed within 1/2 mile of the Columbia River in Douglas and Grant counties. Must wear hunter orange	Oct. 28 - Nov. 15	Oct. 27 - Nov. 15	Oct. 25 - Nov. 15	Any elk
		371, Elk Areas 3911((*))and 3912 AHE master hunters only. Must wear hunter orange	Aug. 1 - Jan 30	Aug. 1 - Jan. 30	Aug. 1 - Jan. ((30)) <u>20</u> , 2009	Antlerless only
		<u>Elk Area 3911* AHE master hunters only, 2nd tag. Must wear hunter orange</u>			Aug. 1 - Oct. 24	Antlerless only
		328	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Spike bull
		335, 336, 346, 352, 364, ((368)) Elk Area 3681	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Spike bull or antlerless
		407, 503, 505, 648, 667, 672, 681, Elk Area 6066 in GMU 660, and 699. Elk Area 6064, except AHE master hunters only in Elk Area 6064 in GMU 638	Nov. 22 - Dec. 15	Nov. 21 - Dec. 15	Nov. 19 - Dec. 15	3 pt. min. or antlerless
	WA	454, 564, 666	Nov. 22 - Dec. 15	Nov. 21 - Dec. 15	Nov. 19 - Dec. 15	Any elk
		603, 612, 615, 638	Nov. 22 - Dec. 15	Nov. 21 - Dec. 15	Nov. 19 - Dec. 15	3 pt. min.
		506, 530	Nov. 22 - Dec. 7	Nov. 21 - Dec. 7	Nov. 19 - Dec. 7	3 pt. min. or antlerless
		520		Nov. 21 - Dec. 15	Nov. 19 - Dec. 15	3 pt. min. or antlerless
		506, 530	Dec. 8-15	Dec. 8-15	Dec. 8-15	3 pt. min.
		*Advanced Hunter Education Master Hunters who hunt in Elk Area 3911 may purchase an AHE, Elk Area 3911, second elk transport tag. Any legal weapon may be used. AHE, Elk Area 3911 second elk transport tags will be valid only for Elk Area 3911 ((for the time period listed above)) from August 1 - October 24. All hunters participating in the Elk Area 3911 hunt must wear hunter orange.				

Muzzleloader Elk Seasons**License Required:** A valid big game hunting license with an elk tag option.**Tag Required:** Valid muzzleloader elk tag as listed below on his/her person for the area hunted.**Hunting Method:** Muzzleloader only as defined by WAC 232-12-051.**Special Notes:** Muzzleloader tag holders can only hunt during the muzzleloader seasons and must hunt with muzzleloader equipment. Only hunters with tags identified in the Special Elk Permits tables may apply for special elk permits.

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2006 Dates	2007 Dates	2008 Dates	Legal Elk
Early Muzzleloader Elk Seasons						
Eastern Washington	EM	111, 113, 117, 247	Oct. 7-13	Oct. 6-12	Oct. 4-10	Any bull
		101 through 108, 121 through 142, 250	Oct. 7-13	Oct. 6-12	Oct. 4-10	Any elk
		172, 245, Elk Area 2051, 335 through 342, 352 through 360, 368	Oct. 7-13	Oct. 6-12	Oct. 4-10	Spike bull
Western Washington	WM	454, 564, 568, 574, 578, 666, 684	Oct. 7-13	Oct. 6-12	Oct. 4-10	Any elk
		460, 504, 513, 530, 554, 602, 603, 607, 658, 660, 672	Oct. 7-13	Oct. 6-12	Oct. 4-10	3 pt. min.
		501, 503, 652, 654, 663, 667	Oct. 7-13	Oct. 6-12	Oct. 4-10	3 pt. min. or antlerless

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2006 Dates	2007 Dates	2008 Dates	Legal Elk
Late Muzzleloader Elk Seasons						
Eastern Washington	EM	130 through 142	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Any elk
		127-142 AHE master hunters only. Must wear hunter orange	Dec. 9-31	Dec. 9-31	Dec. 9-31	Any elk
		203 through 248, 250, 254 through 290, 373, 379, 381 except closed within 1/2 mile of the Columbia River in Douglas and Grant counties. Must wear hunter orange	Oct. 28 - Nov. 15	Oct. 27 - Nov. 15	Oct. 25 - Nov. 15	Any elk
		371, Elk Areas 3911((*)) and 3912 AHE master hunters only. Must wear hunter orange	Aug. 1 - Jan. 30, 2007	Aug. 1 - Jan. 30, 2008	Aug. 1 - Jan. ((30)) 20, 2009	Antlerless only
		<u>Elk Area 3911*AHE master hunters only, 2nd tag. Must wear hunter orange</u>			<u>Aug. 1 - Oct. 24</u>	<u>Antlerless only</u>
Western Washington	WM	Elk Area 4941	Nov. 1 - Jan. 30, 2007	Nov. 1 - Jan. 30, 2008	Nov. 1 - Jan. ((30)) 20, 2009	Any elk
		501, 503, 505, 652	Nov. 22 - Dec. 8	Nov. 21 - Dec. 8	Nov. 19 - Dec. 8	3 pt. min. or antlerless
		454, 564, 568, 666, 684	Nov. 22 - Dec. 15	Nov. 21 - Dec. 15	Nov. 19 - Dec. 15	Any elk
		574, 578	Nov. 22-30	Nov. 21-30	Nov. 19-30	Any elk
		504, 550, 601, 667	Nov. 22 - Dec. 15	Nov. 21 - Dec. 15	Nov. 19 - Dec. 15	3 pt. min.
		*Advanced Hunter Education Master Hunters who hunt in Elk Area 3911 may purchase an AHE, Elk Area 3911, second elk transport tag. Any legal weapon may be used. AHE, Elk Area 3911 second elk transport tags will be valid only for Elk Area 3911 ((for the time period listed above)) from August 1 - October 24. All hunters participating in the Elk Area 3911 hunt must wear hunter orange.				

WSR 08-03-142
PROPOSED RULES
DEPARTMENT OF HEALTH

[Filed January 23, 2008, 9:49 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 07-20-095.

Title of Rule and Other Identifying Information: WAC 246-809-240 Examination for licensed mental health counselors.

Hearing Location(s): Department of Health, Point Plaza East Room 152/153, 310 Israel Road, Tumwater, WA 98501, on March 5, 2008, at 2:00 p.m.

Date of Intended Adoption: March 6, 2008.

Submit Written Comments to: Betty Moe, Department of Health, P.O. Box 47869, Olympia, WA 98504-7869, web site <http://www3.doh.wa.gov/policyreview/>, fax (360) 236-4909, by February 25, 2008.

Assistance for Persons with Disabilities: Contact Betty Moe by February 19, 2008, TTY (800) 833-6388 or 711.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The proposed rules change the process for taking the national counseling examination (NCE) and the national clinical mental health counseling examination (NCMHCE). Applicants must pass

one of these examinations to be eligible for licensure as a mental health counselor in Washington state. The proposed changes in process would allow more frequent examinations offered in more locations. The proposed rule is anticipated to increase the opportunity for mental health counselors to become licensed in the state in a timely manner.

Reasons Supporting Proposal: The proposed rules streamline the process to take the NCE or the NCMHCE which are required for licensure. Applicants will be able to sit for the examinations more often and in more locations. The proposed changes do not change the examination standards.

Statutory Authority for Adoption: RCW 18.225.040 and 18.225.090.

Statute Being Implemented: RCW 18.225.090.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Department of health, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Betty Moe, 310 Israel Road S.E., Tumwater, WA 98501, (360) 236-4912.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Per RCW 18.85.030

[19.85.030] (1)(a) the proposed rule does not impose more than minor costs on businesses in the industry.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Betty Moe, Program Manager, Department of Health, P.O. Box 47869, Olympia, WA 98504-7869, phone (360) 236-4912, fax (360) 236-4909, e-mail Betty.Moe@doh.wa.gov.

January 23, 2008
Mary C. Selecky
Secretary

AMENDATORY SECTION (Amending WSR 01-17-113, filed 8/22/01, effective 9/22/01)

WAC 246-809-240 Examination for licensed mental health counselors. (1) (~~Testing companies must administer a written licensure examination on knowledge and application of mental health counseling at least once a year. The applicant must submit a completed application and application fee to the department at least ninety days prior to the scheduled examination date. All other supporting documents, including verification of supervised postgraduate experience, must be submitted sixty days prior to the examination date.~~

(2) ~~Applicants who take and pass the National Board of Certified Counselors (NBCC), National Certification Examination (NCE) or the National Clinical Mental Health Counselor Examination (NCMHCE) have met the examination requirement of chapter 251, Laws of 2001. Verification of successful completion and passage of the NBCC examination is to be provided directly to the department of health by NBCC at the request of the applicant for Washington state mental health counselor.~~

(3) ~~The passing score established by the testing company is the passing score accepted by the department of health.) Applicants must pass an examination administered by the National Board of Certified Counselors (NBCC). Applicants who pass the National Certification Examination (NCE) or the National Clinical Mental Health Counselor Examination (NCMHCE), as administered by the NBCC, meet the examination requirements to be licensed as mental health counselors. The applicant must have the NBCC send verification of the applicant's examination passage directly to the department of health before licensure can be granted.~~

(2) The department of health shall accept the passing score established by the NBCC for licensed mental health counselor examinations.

WSR 08-03-143
PROPOSED RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Filed January 23, 2008, 9:51 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 07-24-100.

Title of Rule and Other Identifying Information: Rules relating to the master hunter program, including WAC 232-28-291, 232-28-351, 232-28-352, 232-28-353, 232-28-354, and 232-28-431.

Hearing Location(s): Natural Resources Building, Room 172, 1111 Washington Street S.E., Olympia, WA 98504, on March 7, 2008, at 8 a.m.

Date of Intended Adoption: On or after April 11, 2008.

Submit Written Comments to: Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501-1091, e-mail preuslmp@dfw.wa.gov, fax (360) 902-2155, by February 25, 2008.

Assistance for Persons with Disabilities: Contact Susan Yeager, TTY (360) 902-2207 or (360) 902-2267.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Several rules cross-reference and/or relate to the department's "advanced hunter education program," which is now called the "master hunter program." The name must be changed in these rules, and other information must be revised to reflect changes in the law and in rules.

Reasons Supporting Proposal: The department wants to be consistent in its references to the master hunter program.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Washington department of fish and wildlife, governmental.

Name of Agency Personnel Responsible for Drafting: Lori Preuss, 1111 Washington Street, Olympia, (360) 902-2930; Implementation: Mik Mikitik, 1111 Washington Street, Olympia, (360) 902-8113; and Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, (360) 902-2373.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This proposal does not impact small businesses.

A cost-benefit analysis is not required under RCW 34.05.328. This proposal does not affect hydraulics.

January 23, 2008
Loreva M. Preuss
Rules Coordinator

AMENDATORY SECTION (Amending Order 06-92, filed 5/8/06, effective 6/8/06)

WAC 232-28-291 Special hunting season permits. The commission may establish special hunting seasons limited to species and/or weapon type.

1. Deer, elk, cougar, or black bear special hunting season permit applications:

A. To apply for special hunting season permits for deer, elk, cougar, or black bear applicants must have a valid Washington big game hunting license and a valid transport tag for the appropriate species. To apply for a particular hunt, each applicant for deer or elk must have the proper transport tag as identified in the special deer or elk permit regulations.

B. Multiple season deer and elk permit applications may be purchased without additional licenses or tags. The purchase of the application will result in entry into the drawing.

Persons who are successfully drawn must purchase a multiple season permit for deer or elk and may also apply for archery, muzzleloader, or modern firearm special hunting season permits for the species drawn.

2. Mountain goat, moose, and bighorn sheep special hunting season permit applications:

A. Persons who have previously harvested a mountain goat, bighorn sheep, or moose in Washington are ineligible to apply for a special hunting season permit for that species. This lifetime harvest restriction does not apply to individuals who harvested a mountain goat before 1999, raffle or auction hunt authorizations, or antlerless-only moose hunts.

B. Successful applicants under this section must purchase the appropriate hunting license within fifteen days of the published notification deadline by the department. Failure to purchase forfeits the permit to an alternate applicant.

3. Wild turkey special hunting season permit applications

A. To apply for wild turkey special hunting season permits, each applicant must have a valid small game hunting license.

B. Early fall wild turkey special hunting season permit holders must have a valid turkey transport tag in possession to hunt turkeys in the early fall special hunting season.

C. Late fall wild turkey special hunting season permit holders must have a valid turkey transport tag in possession to hunt turkeys in the late fall special hunting season.

4. Special hunting season permit applications:

A. Maximum group sizes are determined for each category. If a group application is drawn, all hunters in the group will receive a special hunting season permit and each hunter in the group can take an animal.

- i. Maximum group size for deer is 12.
- ii. Maximum group size for elk is 12.
- iii. Maximum group size for bear is 2.
- iv. Maximum group size for cougar is 2.
- v. Maximum group size for mountain goat is 2.
- vi. Maximum group size for bighorn sheep is 2.
- vii. Maximum group size for early fall turkey is 4.
- viii. Maximum group size for late fall turkey is 4.
- ix. Maximum group size for moose is 2.
- x. Maximum group size for multiple season deer is 1.
- xi. Maximum group size for multiple season elk is 1.

B. An applicant may purchase only one application for a special hunting season permit for each category.

C. Permits will be drawn by computer selection using a weighted point selection system.

D. Incomplete applications will not be accepted.

E. If an applicant makes a mistake, applies for the wrong hunt, and is successfully drawn, the special hunting season permit can be returned to the department of fish and wildlife Olympia headquarters before the opening day of the special hunting season or the opening day of the general hunting season, whichever comes first. The applicant's points will be restored to the level prior to the permit drawing.

F. Anyone may apply for a special hunting season permit for deer, elk, bear, cougar, and wild turkey.

5. In addition to requirements for special hunting season permit applications, following are application requirements for:

A. Special hunting seasons for persons of disability: Only applicants with a Washington disabled hunter permit are eligible to apply for any special hunting season permits for persons of disability.

B. Special hunting seasons for youth: Only persons who are eligible to lawfully purchase a youth hunting license are eligible to apply for special hunting season permits for youth.

C. Special hunting seasons for hunters age 65 and older: Only applicants sixty-five years of age or older on or before March 31 of the current license year will be eligible to apply for special hunting season permits for hunters age 65 and older.

D. Special hunting seasons for ((~~advanced~~) master hunter ((~~education~~) program graduates: Only persons who hold a valid certificate from the Washington department of fish and wildlife's ((~~advanced~~) master hunter ((~~education~~ (~~AHE~~))) program are eligible to apply for special hunting season permits for ((~~AHE~~) master hunters.

6. Citizen reward for reporting violations - bonus points: A person who provides information which contributes substantially to the arrest of another person for illegally hunting or killing big game or an endangered species as defined by Title 77 RCW is eligible to receive ten bonus points toward the special hunting permit drawing for deer or elk special hunting season permits.

A. Only ten bonus points can be awarded for providing information for each person charged regardless of the number of violations involved.

B. Selection of bonus points is in lieu of application for a cash award.

AMENDATORY SECTION (Amending Order 07-62, filed 5/3/07, effective 6/3/07)

WAC 232-28-351 2006-2008 Deer general seasons and definitions.

Bag Limit: One (1) deer per hunter during the license year except where otherwise permitted by Fish and Wildlife Commission rule.

Hunting Method: Hunters must select one of the hunting methods (modern firearm, archery, muzzleloader).

Any Buck Deer Seasons: Open only to the taking of deer with visible antlers (buck fawns illegal).

Antler Point: To qualify as an antler point, the point must be at least one inch long measured on the longest side.

Antler Restrictions: APPLIES TO ALL HUNTERS DURING ANY GENERAL SEASON AND DESIGNATED SPECIAL PERMIT SEASONS! Buck deer taken in antler restricted GMUs must meet minimum antler point requirements. Minimum antler point requirements are antler points on one side only. Eye guards are antler points when they are at least one inch long.

2 Point minimum GMUs: 437, 574, 578, 636, 654, and 681.

3 Point minimum GMUs: All mule deer in 100, 200, and 300 series GMUs; white-tailed deer in GMUs 127, 130, 133, 136, 139, 142, 145, 149, 154, 162, 163, 166, 169, 172, 175, 178, 181, and 186.

Permit Only Units: The following GMUs require a special permit to hunt deer: 290 (Desert), 329 (Quilomene), 371 (Alkali), and 485 (Green River).

GMUs Closed to Deer Hunting: 157 (Mill Creek Watershed), 490 (Cedar River), and 522 (Loo-wit).

Black-tailed Deer: Any member of black-tailed/mule deer (species *Odocoileus hemionus*) found west of a line drawn from the Canadian border south on the Pacific Crest Trail and along the Yakama Indian Reservation boundary in Yakima County to Klickitat County; in Klickitat County along the Yakama Indian Reservation boundary to Summit Creek Rd; southwest on Summit Creek Rd to the Glenwood-Goldendale Highway; northwest on the Glenwood-Goldendale Highway to Lakeside Rd; south on Lakeside Rd to Fisher Hill Rd (P-2000); south on Fisher Hill Rd to Fisher Hill bridge crossing Klickitat River; southwest down Klickitat River to the Columbia River.

Mule Deer: Any member of black-tailed/mule deer (species *Odocoileus hemionus*) found east of a line drawn from the Canadian border south on the Pacific Crest Trail and along

the Yakama Indian Reservation boundary in Yakima County to Klickitat County; in Klickitat County along the Yakama Indian Reservation boundary to Summit Creek Rd; southwest on Summit Creek Rd to the Glenwood-Goldendale Highway; northwest on the Glenwood-Goldendale Highway to Lakeside Rd; south on Lakeside Rd to Fisher Hill Rd (P-2000); south on Fisher Hill Rd to Fisher Hill bridge crossing Klickitat River; southwest down Klickitat River to the Columbia River.

White-tailed Deer: Means any white-tailed deer (member of the species *Odocoileus virginianus*) except the Columbian whitetail deer (species *Odocoileus virginianus leucurus*).

MODERN FIREARM DEER SEASONS

License Required: A valid big game hunting license, which includes a deer species option.

Tag Required: Valid modern firearm deer tag on his/her person for the area hunted.

Hunting Method: Modern firearm deer tag hunters may use rifle, handgun, shotgun, bow or muzzleloader, but only during modern firearm seasons.

Hunt Season	2006 Dates	2007 Dates	2008 Dates	Game Management Units (GMUs)	Legal Deer
HIGH BUCK HUNTS					
	Sept. 15-25	Sept. 15-25	Sept. 15-25	Alpine Lakes, Glacier Peak, Pasayten, Olympic Peninsula, and Henry Jackson Wilderness Areas and Lake Chelan Recreation Area	3 pt. min.
GENERAL SEASON HUNTS					
Western Washington Blacktail Deer	Oct. 14-31	Oct. 13-31	Oct. 11-31	407, 418, 426, 448 through 466, 501 through 520, 524 through 556, 560, 568, 572, 601 through 633, 638 through 673, 684	Any buck
				GMUs 410, 564, Deer Areas 4013, 4926, and 6014	Any deer
				437, 574, 578, 636, 654, 681	2 pt. min.
Eastern Washington Whitetail Deer	Oct. 14-27	Oct. 13-26	Oct. 11-24	105 through 124	Any whitetail buck
	Oct. 14-22	Oct. 13-21	Oct. 11-19	All 200 and 300 series GMUs except permit-only in 290, 329, and 371	Any whitetail buck
	Oct. 14-29	Oct. 13-28	Oct. 11-26	101, 204	Any whitetail buck
	Oct. 14-22	Oct. 13-21	Oct. 11-19	127 through 154, 162 through 186 379	Whitetail, 3 pt. min. Any white-tailed deer
Eastern Washington Mule Deer	Oct. 14-22	Oct. 13-21	Oct. 11-19	All 100, 200, and 300 series GMUs, except permit only in GMUs 290, 329, and 371, and closed in GMU 157	Mule deer, 3 pt. min.
				379	Any mule deer
	Oct. 14-27	Oct. 13-26	Oct. 11-24	373, 382, 388	Mule deer, 3 pt. min.
LATE BUCK HUNTS					
Western Washington Blacktail Deer	Nov. 16-19	Nov. 15-18	Nov. 13-16	407, 410, 454, 466, and 500, and 600 series GMUs except closed in GMUs 522, 574, and 578	Any buck except 2 pt. min. in GMUs 636, 654, and 681
	Nov. 16-19	Nov. 15-18	Nov. 13-16	GMUs 410 and 564, Deer Areas 4013, 4926, and 6014	Any deer
Eastern Washington Whitetail Deer	Nov. 6-19	Nov. 5-19	Nov. 3-19	105 through 124	Any whitetail buck
YOUTH & DISABLED HUNTERS					
Eastern Washington Whitetail Deer	Oct. 28 - Nov. 5	Oct. 27 - Nov. 4	Oct. 25 - Nov. 2	105 through 124	Whitetail, antlerless only

Hunt Season	2006 Dates	2007 Dates	2008 Dates	Game Management Units (GMUs)	Legal Deer
HUNTERS 65 AND OVER, DISABLED, OR YOUTH SEASONS					
Eastern Washington Whitetail Deer	Oct. 14-27 & Nov. 6-19	Oct. 13-26 & Nov. 5-19	Oct. 11-24 & Nov. 3-19	105 through 124	Any whitetail deer
	Oct. 14-29	Oct. 13-28	Oct. 11-26	101	Any whitetail deer
	Oct. 14-22	Oct. 13-21	Oct. 11-19	127 through 142, 145 through 154, 162, and 172 through 181	Whitetail, 3 pt. min. or antlerless
((ADVANCED)) MASTER HUNTER ((EDUCATION (AHE) MASTER HUNTER)) SEASON					
Eastern Washington Whitetail Deer	Dec. 9-15	Dec. 9-15	Dec. 9-15	GMUs 130-142	Whitetail, antlerless only

ARCHERY DEER SEASONS

License Required: A valid big game hunting license, which includes a deer species option.

Tag Required: Valid archery deer tag on his/her person for the area hunted.

Special Notes: Archery tag holders can only hunt during archery seasons with archery equipment (WAC 232-12-054).

Hunt Area	2006 Dates	2007 Dates	2008 Dates	Game Management Units (GMUs)	Legal Deer
Early Archery Deer Seasons					
Western Washington Blacktail Deer	Sept. 1-30	Sept. 1-30	Sept. 1-30	407 through 426, 448 through 466, 501 through 520, 524 through 556, 560, 564, 568, 572, 601 through 633, 638 through 653, 658 through 673, 684 and 699	Any Deer, except buck only in GMUs 460, 503, 506, 530, 550, 673
				437, 574, 578, 636, 654, 681	2 pt. min. or antlerless
Late Archery Deer Seasons					
Western Washington Blacktail Deer	Nov. 22 - Dec. 8	Nov. 21 - Dec. 8	Nov. 19 - Dec. 8	437, 654	2 pt. min. or antlerless
	Nov. 22 - Dec. 15	Nov. 21 - Dec. 15	Nov. 19 - Dec. 15	636, 681	2 pt. min. or antlerless
	Nov. 22 - Dec. 15	Nov. 21 - Dec. 15	Nov. 19 - Dec. 15	466, 510 through 520, 524, 556, 601, 607 through 618, 638, 648, and 699	Any deer
	Nov. 22 - Dec. 15	Nov. 21 - Dec. 15	Nov. 19 - Dec. 15	460, 506, 530, 560, 572	Buck only
	Nov. 22 - Dec. 31	Nov. 21 - Dec. 31	Nov. 19 - Dec. 31	407, 410, 454, 505, 564, 603, 624, 627, 642, 652, 660 through 672	Any deer
Eastern Washington Mule Deer	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	209, 215, 233, 243, 346, 352, 364, 368	3 pt. min.
				145, 163, 178, 250	3 pt. min. or antlerless
				272, 278, 373, 381, 388	3 pt. min. or antlerless
	Nov. 20-30	Nov. 20-30	Nov. 20-30	133, 136	Antlerless
Eastern Washington Whitetail Deer	Dec. 9-31	Dec. 9-31	Dec. 9-31	Dear Area 1021	3 pt. min. or antlerless
	Nov. 10 - Dec. 15	Nov. 10 - Dec. 15	Nov. 10 - Dec. 15	101	Any whitetail deer
	Nov. 20 - Dec. 15	Nov. 20 - Dec. 15	Nov. 20 - Dec. 15	105, 108, 117, 121, 124	Any whitetail deer
				127	3 pt. min. or antlerless whitetail
	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	145, 163, 178	3 pt. min. or antlerless whitetail
	Nov. 20-30	Nov. 20-30	Nov. 20-30	204, 209, 215, 233, 243, 250, 272, 278	Any whitetail deer
				133, 136	Antlerless

MUZZLELOADER DEER SEASONS

License Required: A valid big game hunting license, which includes a deer species option.

Tag Required: Valid muzzleloader deer tag on his/her person for the area hunted.

Hunting Method: Muzzleloader only.

Special Notes: Muzzleloader tag holders can only hunt during muzzleloader seasons and must hunt with muzzleloader equipment.

Hunt Area	2006 Dates	2007 Dates	2008 Dates	Game Management Units (GMUs)	Legal Deer
High Buck Hunts	Sept. 15-25	Sept. 15-25	Sept. 15-25	Alpine Lakes, Glacier Peak, Pasayten, Olympic Peninsula, and Henry Jackson Wilderness areas, and Lake Chelan Recreation Area	3 pt. min.
Early Muzzleloader Deer Seasons					
Western Washington Blacktail Deer	Oct. 7-13	Oct. 6-12	Oct. 4-10	407, 418, 426, 448, 450, 501, 504, 505, 513, 520, 530, 554, 568, 603, 612, 624, 638, 642, 660, 663, 672, 673, 684	Any buck
				410, 454, 564, 627, 652, 666, Deer Area 4926	Any deer
				437, 578	2 pt. min.
Eastern Washington Whitetail Deer	Oct. 7-13	Oct. 6-12	Oct. 4-10	204, 209, 233, 239, 242, 243, 244, 245, 246, 250, 251, 278, 284	Whitetail, any buck
				133, 142, 145, 149, 181, 381	Whitetail, 3 pt. min. or antlerless
				101 through 124, 379	Whitetail, any deer
Eastern Washington Mule Deer	Oct. 7-13	Oct. 6-12	Oct. 4-10	101 through 124, 133, 142, 145, 149, 181, 204, 209, 233, 239, 242, 243, 244, 245, 246, 250, 251, 284, 328, 330 through 342, 352 through 360, 368, 382	Mule deer, 3 pt. min.
				278, 381	Mule deer, 3 pt. min. or antlerless
				379	Any mule deer
Late Muzzleloader Deer Seasons					
Western Washington Blacktail Deer	Nov. 22 - Dec. 15	Nov. 21 - Dec. 15	Nov. 19 - Dec. 15	407, 410, 501, 504, 564, 633, 666, 684, and Deer Area 4926	Any deer
				654	2 pt. min.
				460, 550, 602	Any buck
	Nov. 21 - Dec. 6	Nov. 19 - Dec. 6	651, 673		Any buck
	Dec. 7 - 15	Dec. 7 - 15	651, 673		Any deer
Eastern Washington Whitetail Deer	Dec. 1-15	Dec. 1-15	Dec. 1-15	578	2 pt. min.
	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	113, 379	Whitetail, any deer
				172, 181	Whitetail, 3 pt. min. or antlerless
Eastern Washington Mule Deer	Nov. 20-30	Nov. 20-30	Nov. 20-30	130, 139	Whitetail, 3 pt. min. or antlerless
	Nov. 20-30	Nov. 20-30	Nov. 20-30	382	3 pt. min.
				130	Antlerless
	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	379	Any mule deer

AMENDATORY SECTION (Amending Order 07-62, filed 5/3/07, effective 6/3/07)

WAC 232-28-352 2006-2008 Elk general seasons and definitions.

Bag Limit: One (1) elk per hunter during the license year except where otherwise permitted by fish and wildlife commission rule.

Hunting Method: Elk hunters must select only one of the hunting methods (modern firearm, archery, or muzzleloader).

Elk Tag Areas: Elk hunters must choose either Eastern or Western Washington to hunt in and buy the appropriate tag for that area.

Any Bull Elk Seasons: Open only to the taking of elk with visible antlers (bull calves are illegal).

Antler Point: To qualify as an antler point, the point must be at least one inch long measured on the longest side.

Spike Bull Antler Restrictions: Bull elk taken in spike only GMUs must have at least one antler with only one antler point above the ear. An animal with more than one antler point above the ears on both antlers is illegal.

Spike Only GMUs: 145-154, 162-186, 249, 251, 328, 329, and 335-368.

3 Point Antler Restrictions: Legal bull elk must have at least 3 antler points on one side with at least 2 antler points above the ear. Eye guards are antler points when they are at least one inch long. Antler restrictions apply to all hunters during any open season.

3 Point GMUs: All of Western Washington except for GMUs 454, 564, 568, 574, 578, 652 for archers, 666, 684, and Elk Area 4941.

Permit Only Units: The following GMUs are closed during general seasons: 157, 371, 418, 485, 522, 524, 556, 621, 636, 653, and Elk Area 3068.

GMUs Closed to Elk Hunting: 437 (except for Elk Area 4941), and 490.

Elk Tag Areas

Eastern Washington: All 100, 200, and 300 GMUs except permit only for all hunters in GMUs 157 and 371. Modern firearms are restricted in GMU 334.

EA - Eastern Washington Archery Tag

EF - Eastern Washington Modern Firearm General Elk Tag

EM - Eastern Washington Muzzleloader Tag

Western Washington: All 400, 500, and 600 GMUs except closed in GMUs 418, 437 (except for Elk Area 4941), 490, and modern firearm restrictions in portions of GMU 660.

GMU 554 is open only for early archery and muzzleloader seasons. Elk Area 6064 in GMU 638 (Quinault) is open to ((AHE)) master hunters only. Elk hunting by permit only in GMUs 485, 522, 524, 556, 621, and 636.

WA - Western Washington Archery Tag

WF - Western Washington Modern Firearm General Elk Tag

WM - Western Washington Muzzleloader Tag

Modern Firearm Elk Seasons

License Required: A valid big game hunting license with an elk tag option.

Tag Required: Valid modern firearm elk tag as listed below on his/her person for the area hunted.

Hunting Method: May use modern firearm, bow and arrow, or muzzleloader, but only during modern firearm seasons.

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2006 Dates	2007 Dates	2008 Dates	Legal Elk	
Eastern Washington	EF	111, 113, 117	Oct. 28 - Nov. 5	Oct. 27 - Nov. 4	Oct. 25 - Nov. 2	Any bull	
		145 through 154, 162 through 186, 249, 251, 328, 329, 335 through 368	Oct. 28 - Nov. 5	Oct. 27 - Nov. 4	Oct. 25 - Nov. 2	Spike bull	
		Elk Area 3722*	Sept. 9-22	Sept. 8-21	Sept. 6-19	Antlerless	
		101, 105, 108, 121 through 142, 372, 382, 388	Oct. 28 - Nov. 5	Oct. 27 - Nov. 4	Oct. 25 - Nov. 2	Any elk	
		127-142 ((AHE)) master hunters only	Dec. 9-31	Dec. 9-31	Dec. 9-31	Any elk	
		203 through 248, 250, 254 through 290, 373, 379, 381 except closed within 1/2 mile of the Columbia River in Douglas and Grant counties	Oct. 28 - Nov. 15	Oct. 27 - Nov. 15	Oct. 25 - Nov. 15	Any elk	
		371, Elk Areas 3911** and 3912 ((AHE)) master hunters only	Aug. 1 - Jan. 30	Aug. 1 - Jan. 30	Aug. 1 - Jan. 30	Antlerless only	
*GMU 372 and Elk Area 3722 are mainly private property, hunters are not advised to try hunting these areas without making prior arrangements for access.							
**((Advanced Hunter Education)) Master Hunters who hunt in Elk Area 3911 may purchase ((an AHE)) a master hunter, Elk Area 3911, second elk transport tag. Any legal weapon may be used. ((AHE)) Master hunter, Elk Area 3911 second elk transport tags will be valid only for Elk Area 3911 for the time period listed above. All hunters participating in the Elk Area 3911 hunt must wear hunter orange.							
Western Washington	WF	407, 448, 460, 466, 503 through 520, 530, 550, 560, 572, 601 through 618, 624 (except for Elk Area 6071), 627 through 633, 638 through 652, 654 through 684. Except ((AHE)) master hunters only in Elk Area 6064	Nov. 4-13	Nov. 3-12	Nov. 1-10	3 pt. min.	
		501	Nov. 4-13	Nov. 3-12	Nov. 1-10	3 pt. min. or antlerless	
		564, 568, 574 through 578, 666	Nov. 4-13	Nov. 3-12	Nov. 1-10	Any elk	
		454	Nov. 4-13	Nov. 3-12	Nov. 1-10	Any bull	

Archery Elk Seasons**License Required:** A valid big game hunting license with an elk tag option.**Tag Required:** Valid archery elk tag as listed below on his/her person for the area hunted.**Hunting Method:** Bow and arrow only as defined by WAC 232-12-054.**Special Notes:** Archery tag holders can hunt only during archery seasons and must hunt with archery equipment (WAC 232-12-054). Archery elk hunters may apply for special bull permits. Please see permit table for tag eligibility for all elk permits.

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2006 Dates	2007 Dates	2008 Dates	Legal Elk
Early Archery Elk Seasons						
Eastern Washington	EA	101 through 142, 243, 247, 249, 250, 388	Sept. 8-21	Sept. 8-21	Sept. 8-21	Any elk
		145, 162, 166 through 172, 181, 186, 328, 329, 335	Sept. 8-21	Sept. 8-21	Sept. 8-21	Spike bull
		149, 154, Elk Area 1010, Elk Area 1013, 163, 175, 178, 330, 334, 336, 340, 352, 356, 364	Sept. 8-21	Sept. 8-21	Sept. 8-21	Spike bull or antlerless
Western Washington	WA	454, 564, 568, 574, 578, 652, 666	Sept. 8-21	Sept. 8-21	Sept. 8-21	Any elk
		407, 448, 501 through 505, 520, 550, 554, 560, 572, 624, except for Elk Area 6071, Elk Area 6061, 654, 660, 663, 667 through 673, 684, and 699	Sept. 8-21	Sept. 8-21	Sept. 8-21	3 pt. min. or antlerless
		460, 466, 506, 510, 513, 516, 530, 601, 602, 603, 607, 612 through 618, 627, 633, 638 through 648, 651, 658, and 681. ((AHE)) Master hunters only in Elk Area 6064	Sept. 8-21	Sept. 8-21	Sept. 8-21	3 pt. min.
		Elk Area 4941	Oct. 1-31	Oct. 1-31	Oct. 1-31	Any elk
Late Archery Elk Seasons						
Eastern Washington	EA	101, 105, 108, 117 through 127, 388	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Any elk
		178	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Antlerless only
		127-142 ((AHE)) master hunters only. Must wear hunter orange	Dec. 9-31	Dec. 9-31	Dec. 9-31	Any elk
		Elk Area 1010, 163	Dec. 9 - Jan. 30	Dec. 9 - Jan. 30	Dec. 9 - Jan. 30	Antlerless only
		203 through 248, 250, 254 through 290, 373, 379, 381 except closed within 1/2 mile of the Columbia River in Douglas and Grant counties. Must wear hunter orange	Oct. 28 - Nov. 15	Oct. 27 - Nov. 15	Oct. 25 - Nov. 15	Any elk
		371, Elk Areas 3911* and 3912 ((AHE)) master hunters only. Must wear hunter orange	Aug. 1 - Jan 30	Aug. 1 - Jan. 30	Aug. 1 - Jan. 30	Antlerless only
		328	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Spike bull
		335, 336, 346, 352, 364, 368	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Spike bull or antlerless
		407, 503, 505, 648, 667, 672, 681, Elk Area 6066 in GMU 660, and 699. Elk Area 6064, except ((AHE)) master hunters only in Elk Area 6064 in GMU 638	Nov. 22 - Dec. 15	Nov. 21 - Dec. 15	Nov. 19 - Dec. 15	3 pt. min. or antlerless
Western Washington	WA	454, 564, 666	Nov. 22 - Dec. 15	Nov. 21 - Dec. 15	Nov. 19 - Dec. 15	Any elk
		603, 612, 615, 638	Nov. 22 - Dec. 15	Nov. 21 - Dec. 15	Nov. 19 - Dec. 15	3 pt. min.
		506, 530	Nov. 22 - Dec. 7	Nov. 21 - Dec. 7	Nov. 19 - Dec. 7	3 pt. min. or antlerless

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2006 Dates	2007 Dates	2008 Dates	Legal Elk
		520		Nov. 21 - Dec. 15	Nov. 19 - Dec. 15	3 pt. min. or antlerless
		506, 530	Dec. 8-15	Dec. 8-15	Dec. 8-15	3 pt. min.
*((Advanced Hunter Education)) Master Hunters who hunt in Elk Area 3911 may purchase ((an AHE)) a master hunter, Elk Area 3911, second elk transport tag. Any legal weapon may be used. ((AHE)) Master hunter, Elk Area 3911 second elk transport tags will be valid only for Elk Area 3911 for the time period listed above. All hunters participating in the Elk Area 3911 hunt must wear hunter orange.						

Muzzleloader Elk Seasons**License Required:** A valid big game hunting license with an elk tag option.**Tag Required:** Valid muzzleloader elk tag as listed below on his/her person for the area hunted.**Hunting Method:** Muzzleloader only as defined by WAC 232-12-051.**Special Notes:** Muzzleloader tag holders can only hunt during the muzzleloader seasons and must hunt with muzzleloader equipment. Only hunters with tags identified in the Special Elk Permits tables may apply for special elk permits.

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2006 Dates	2007 Dates	2008 Dates	Legal Elk
Early Muzzleloader Elk Seasons						
Eastern Washington	EM	111, 113, 117, 247	Oct. 7-13	Oct. 6-12	Oct. 4-10	Any bull
		101 through 108, 121 through 142, 250	Oct. 7-13	Oct. 6-12	Oct. 4-10	Any elk
		172, 245, Elk Area 2051, 335 through 342, 352 through 360, 368	Oct. 7-13	Oct. 6-12	Oct. 4-10	Spike bull
Western Washington	WM	454, 564, 568, 574, 578, 666, 684	Oct. 7-13	Oct. 6-12	Oct. 4-10	Any elk
		460, 504, 513, 530, 554, 602, 603, 607, 658, 660, 672	Oct. 7-13	Oct. 6-12	Oct. 4-10	3 pt. min.
		501, 503, 652, 654, 663, 667	Oct. 7-13	Oct. 6-12	Oct. 4-10	3 pt. min. or antlerless
Late Muzzleloader Elk Seasons						
Eastern Washington	EM	130 through 142	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Any elk
		127-142 ((AHE)) master hunters only. Must wear hunter orange	Dec. 9-31	Dec. 9-31	Dec. 9-31	Any elk
		203 through 248, 250, 254 through 290, 373, 379, 381 except closed within 1/2 mile of the Columbia River in Douglas and Grant counties. Must wear hunter orange	Oct. 28 - Nov. 15	Oct. 27 - Nov. 15	Oct. 25 - Nov. 15	Any elk
		371, Elk Areas 3911* and 3912 ((AHE)) master hunters only. Must wear hunter orange	Aug. 1 - Jan. 30, 2007	Aug. 1 - Jan. 30, 2008	Aug. 1 - Jan. 30, 2009	Antlerless only
Western Washington	WM	Elk Area 4941	Nov. 1 - Jan. 30, 2007	Nov. 1 - Jan. 30, 2008	Nov. 1 - Jan. 30, 2009	Any elk
		501, 503, 505, 652	Nov. 22 - Dec. 8	Nov. 21 - Dec. 8	Nov. 19 - Dec. 8	3 pt. min. or antlerless
		454, 564, 568, 666, 684	Nov. 22 - Dec. 15	Nov. 21 - Dec. 15	Nov. 19 - Dec. 15	Any elk
		574, 578	Nov. 22-30	Nov. 21-30	Nov. 19-30	Any elk
		504, 550, 601, 667	Nov. 22 - Dec. 15	Nov. 21 - Dec. 15	Nov. 19 - Dec. 15	3 pt. min.
		*((Advanced Hunter Education)) Master Hunters who hunt in Elk Area 3911 may purchase ((an AHE)) a master hunter, Elk Area 3911, second elk transport tag. Any legal weapon may be used. ((AHE)) Master hunter, Elk Area 3911 second elk transport tags will be valid only for Elk Area 3911 for the time period listed above. All hunters participating in the Elk Area 3911 hunt must wear hunter orange.				

AMENDATORY SECTION (Amending Orders 07-62 and 07-62A, filed 5/3/07 and 8/10/07, effective 9/10/07)

WAC 232-28-353 2007 Deer special permits.

SPECIAL DEER PERMIT HUNTING SEASONS

(Open to Permit Holders Only)

Hunters must purchase a deer hunting license prior to purchase of a permit application. Hunters may only apply for permits consistent with the tag required for the hunt choice; however, Multiple Season Permit holders may apply for archery, muzzleloader, or modern firearm permit hunts. Hunters drawn for a special permit hunt must comply with weapon restrictions and dates listed for the hunt.

Hunt Name	Permit Season Dates	Special Restrictions	Boundary Description	Permits
Modern Firearm Deer Permit Hunts (Only modern firearm deer tag holders may apply.)				
Sherman	Oct. 13-28	Whitetail, antlerless	GMU 101	75
Kelly Hill	Oct. 13-26 & Nov. 5-19	Whitetail, antlerless	GMU 105	150
Douglas	Oct. 13-26 & Nov. 5-19	Whitetail, antlerless	GMU 108	300
Aladdin A	Oct. 13-26 & Nov. 5-19	Whitetail, antlerless	GMU 111	75
Aladdin B	Nov. 21-25	Whitetail, any buck	GMU 111	50
Selkirk	Oct. 13-26 & Nov. 5-19	Whitetail, antlerless	GMU 113	50
49 Degrees North	Oct. 13-26 & Nov. 5-19	Whitetail, antlerless	GMU 117	350
Huckleberry A	Oct. 13-26 & Nov. 5-19	Whitetail, antlerless	GMU 121	600
Mt. Spokane A	Oct. 13-26 & Nov. 5-19	Whitetail, antlerless	GMU 124	400
Mica Peak A	Oct. 13-21	Whitetail, antlerless	GMU 127	150
Cheney A	Oct. 13-21	Antlerless	GMU 130	200
Roosevelt	Oct. 13-21	Antlerless	GMU 133	200
Harrington	Oct. 13-21	Antlerless	GMU 136	125
Steptoe	Oct. 13-21 & Nov. 5-19	Antlerless	GMU 139	300
Almota A	Oct. 13-21 & Nov. 5-19	Antlerless	GMU 142	100
Palouse	Nov. 5-19	Whitetail, 3 pt. min.	GMUs 127-142	625
Mayview A	Nov. 1-12	Antlerless	GMU 145	50
Prescott A	Nov. 1-12	Antlerless	GMU 149	50
Blue Creek	Nov. 5-19	Whitetail, antlerless	GMU 154	100
Dayton A	Nov. 5-19	Whitetail, antlerless	GMU 162	150
Dayton B	Nov. 5-19	Antlerless	Deer Area 1010	75
Marengo	Nov. 1-12	Whitetail, antlerless	GMU 163	75
Peola	Nov. 1-12	Whitetail, antlerless	GMU 178	50
Blue Mtns. Foothills A	Nov. 5-19	Whitetail, 3 pt. min. or antlerless	GMUs 149, 154, 162-166	100
Blue Mtns. Foothills B	Nov. 5-19	Whitetail, 3 pt. min. or antlerless	GMUs 145, 172-181	50
East Okanogan A	Nov. 1-18	Any whitetail	GMU 204	50
East Okanogan B	Oct. 13-28	Whitetail, antlerless	GMU 204	100
West Okanogan A	Nov. 1-18	Any whitetail	GMUs 218-242	100
West Okanogan B	Oct. 13-21	Whitetail, antlerless	GMUs 218-242	100
Sinlahekin A	Nov. 1-18	Any whitetail	GMU 215	50
Sinlahekin B	Oct. 13-21	Whitetail, antlerless	GMU 215	75
Chewuch A	Nov. 1-18	Any deer	GMU 218	20
Pearrygin A	Nov. 1-18	Any deer	GMU 224	20
Gardner A	Nov. 1-18	Any deer	GMU 231	15
Pogue A	Nov. 1-18	Any deer	GMU 233	15
Chiliwist A	Nov. 1-18	Any deer	GMU 239	15
Alta A	Nov. 1-18	Any deer	GMU 242	15
Manson	Nov. 1-18	Any deer	GMU 243	5
Chiwawa A	Nov. 1-18	Any deer	GMU 245	38
Slide Ridge A	Nov. 1-18	Any deer	GMU 246	20
Entiat A	Nov. 1-18	Any deer	GMU 247	65
Big Bend A	Nov. 1-18	Antlerless	GMU 248	150
Swakane A	Nov. 1-18	Any deer	GMU 250	40
Mission A	Nov. 1-18	Any deer	GMU 251	35
Mission B	Oct. 13-28	Antlerless	GMU 251	210

Hunt Name	Permit Season Dates	Special Restrictions	Boundary Description	Permits
St. Andrews	Oct. 13-21	Antlerless	GMU 254	115
Foster Creek A	Oct. 13-21	Antlerless	GMU 260	75
Foster Creek B	Nov. 1-18	Antlerless	GMU 260	75
Withrow A	Oct. 13-21	Antlerless	GMU 262	50
Badger	Nov. 1-18	Antlerless	GMU 266	15
Ritzville A	Nov. 1-18	3 pt. min. or antlerless	GMU 284	5
Desert A	Nov. 1-12	Any deer	GMU 290	15
Desert B	Nov. 26 - Dec. 2	Antlerless	GMU 290	75
Naneum A	Nov. 12-18	Any buck	GMU 328	17
Quilomene A	Nov. 5-18	3 pt. min.	GMU 329	15
Teanaway A	Nov. 12-18	Any buck	GMU 335	19
L.T. Murray A	Nov. 12-18	Any buck	GMUs 336, 340	18
Bethel A	Nov. 5-18	Any buck	GMU 360	15
Cowiche A	Nov. 5-18	Any buck	GMU 368	10
Alkali A	Nov. 17-25	Any buck	GMU 371	75
Alkali B	Nov. 17-25	Antlerless	GMU 371	70
Kahlotus A	Dec. 9-15	Antlerless	GMU 381	75
East Klickitat A	Oct. 13-26	3 pt. min. or antlerless	GMU 382	45
Grayback A	Oct. 13-26	3 pt. min. or antlerless	GMU 388	55
Grayback B	Nov. 15-18	3 pt. min.	GMU 388	50
Sauk	Nov. 13-16	2 pt. min.	GMU 437	25
Stillaguamish	Nov. 13-16	Any buck	GMU 448	10
Snoqualmie	Nov. 13-16	Any buck	GMU 460	25
Green River A	Oct. 27 - Nov. 2	Any buck	GMU 485	10
Lincoln A	Oct. 13-31	Any deer	GMU 501	40
Stella A	Oct. 13-31	Any deer	GMU 504	35
Mossyrock A	Oct. 13-31	Any deer	GMU 505	85
Stormking A	Oct. 13-31	Any deer	GMU 510	30
South Rainier A	Oct. 13-31	Any deer	GMU 513	30
Packwood A	Oct. 13-31	Any deer	GMU 516	50
Winston A	Oct. 13-31	Any deer	GMU 520	50
Yale A	Oct. 13-31	Any deer	GMU 554	15
Coweeman A	Oct. 13-31	Any deer	GMU 550	20
Toutle A	Oct. 13-31	Any deer	GMU 556	25
Lewis River A	Oct. 13-31	Any deer	GMU 560	35
Wasougal A	Oct. 13-31	Any deer	GMU 568	10
Siouxon A	Oct. 13-31	Any deer	GMU 572	35
Wind River A	Oct. 13-31	2 pt. min. or antlerless	GMU 574	10
Wind River B	Nov. 15-18	2 pt. min.	GMU 574	40
West Klickitat A	Oct. 13-31	2 pt. min. or antlerless	GMU 578	30
West Klickitat B	Nov. 15-18	2 pt. min	GMU 578	40
Pysht	Oct. 13-31	Any deer	GMU 603	15
Olympic A	Oct. 13-31	Any deer	GMU 621	35
Kitsap	Oct. 13-31	Any deer	GMU 627	20
Skokomish A	Oct. 13-31	Any deer	GMU 636	20
Wynoochee A	Oct. 13-31	Any deer	GMU 648	110
Wynoochee B	Nov. 1-11	Any buck	GMU 648	10
Satsop A	Nov. 1-11	Any buck	GMU 651	10
Mashel A	Oct. 13-31	Any deer	GMU 654	40
North River A	Oct. 13-31	Any deer	GMU 658	70
Minot Peak	Oct. 13-31	Any deer	GMU 660	20
Capitol Peak A	Oct. 13-31	Any deer	GMU 663	15
Capitol Peak B	Nov. 1-11	Any buck	GMU 663	10
Deschutes	Oct. 13-31	Any deer	GMU 666	80
Skookumchuck A	Oct. 13-31	Any deer	GMU 667	20
Skookumchuck B	Nov. 1-11	Any buck	GMU 667	10

Hunt Name	Permit Season Dates	Special Restrictions	Boundary Description	Permits
Muzzleloader Only Deer Permit Hunts (Only muzzleloader tag holders may apply.)				
Green Bluff	Dec. 9-31	Whitetail, antlerless	That portion of GMU 124 east of Hwy 2	90
Mayview B	Oct. 6-12	Antlerless	GMU 145	25
Prescott B	Oct. 6-12	Antlerless	GMU 149	25
Blue Mtns. Foothills C	Nov. 20 - Dec. 8	Whitetail, 3 pt. min. or antlerless	GMUs 149, 154, 162, 166	60
Wannacut A	Oct. 6-12	Antlerless	GMU 209	50
Chiwawa B	Nov. 19-30	Any deer	GMU 245	3
Chiwawa C	Oct. 6-12	Antlerless	GMU 245	70
Swakane B	Oct. 6-12	Antlerless	GMU 250	35
Mission C	Oct. 6-12	Antlerless	GMU 251	45
Foster Creek C	Dec. 1-31	Antlerless	GMU 260	100
Moses Coulee A	Nov. 1-18	Any deer	GMU 269	20
Moses Coulee B	Dec. 1-31	Antlerless	GMU 269	100
Ritzville B	Nov. 19-30	Mule deer, 3 pt. min. or antlerless; any white-tailed deer	GMU 284	5
Benge A	Dec. 1-15	Antlerless	Deer Area 2010	20
Lakeview A	Nov. 1-18	Antlerless	Deer Area 2011	10
Desert C	Oct. 25-31	Any deer	GMU 290	2
Naneum B	Nov. 5-11	Any buck	GMU 328	2
Quilomene B	Oct. 6-12	3 pt. min.	GMU 329	2
Teanaway C	Nov. 5-11	Any buck	GMU 335	2
L.T. Murray B	Nov. 5-11	Any buck	GMUs 336, 340	2
Alkali C	Dec. 1-8	Any buck	GMU 371	11
Alkali D	Dec. 1-8	Antlerless	GMU 371	15
Whitcomb A	Sept. 10-15	Antlerless	Deer Area 3071	7
Whitcomb B	Sept. 16-21	Antlerless	Deer Area 3071	7
Whitcomb C	Sept. 24 - Oct. 5	Any deer	Deer Area 3071	7
Paterson A	Sept. 18-24	Antlerless	Deer Area 3072	10
Paterson B	Sept. 16-21	Antlerless	Deer Area 3072	10
Paterson C	Sept. 24 - Oct. 5	Any deer	Deer Area 3072	10
Kahlotus B	Nov. 20 - Dec. 8	Any deer	GMU 381	25
East Klickitat B	Nov. 21-30	3 pt. min. or antlerless	GMU 382	20
Grayback C	Oct. 6-12	3 pt. min. or antlerless	GMU 388	10
West Klickitat C	Dec. 1-15	2 pt. min. or antlerless	GMU 578	30
Mossyrock B	Oct. 6-12	Any deer	GMU 505	10
Stormking B	Oct. 6-12	Any deer	GMU 510	5
South Rainier B	Oct. 6-12	Any deer	GMU 513	5
Packwood B	Oct. 6-12	Any deer	GMU 516	5
Winston B	Oct. 6-12	Any deer	GMU 520	5
Coweeman B	Oct. 6-12	Any deer	GMU 550	30
Yale B	Oct. 6-12	Any deer	GMU 554	2
Toutle B	Oct. 6-12	Any deer	GMU 556	3
Lewis River B	Oct. 6-12	Any deer	GMU 560	5
Washougal B	Oct. 6-12	Any deer	GMU 568	10
Siouxon B	Oct. 6-12	Any deer	GMU 572	5
Wind River C	Oct. 6-12	2 pt. min. or antlerless	GMU 574	1
Olympic B	Oct. 6-12	Any deer	GMU 621	20
North River B	Oct. 6-12	Any deer	GMU 658	5
Archery Only Deer Permit Hunts (Only archery deer tag holders may apply.)				
Chiwawa D	Dec. 1-12	Any deer	GMU 245	27
Entiat B	Nov. 20-29	Any deer	GMU 247	160
Entiat C	Nov. 30 - Dec. 8	Any deer	GMU 247	150
Big Bend B	Nov. 20 - Dec. 8	Any deer	GMU 248	10
Desert D	Nov. 13-26	Any deer	GMU 290	12

Hunt Name	Permit Season Dates	Special Restrictions	Boundary Description	Permits
Naneum C	Nov. 20 - Dec. 8	Any buck	GMU 328	13
Quilomene C	Nov. 20 - Dec. 8	3 pt. min.	GMU 329	12
Teanaway D	Nov. 20 - Dec. 8	Any buck	GMU 335	13
L.T. Murray C	Nov. 20 - Dec. 8	Any buck	GMUs 336, 340	6
Alkali E	Dec. 9-25	Any deer	GMU 371	99
Special Modern Firearm Deer Permit Hunts for Hunters 65 or older				
Blue Mtns. Foothills D	Oct. 13-21	Antlerless	GMUs 145, 149	30
East Okanogan C	Oct. 13-21	Antlerless	GMU 204	15
Wannacut B	Oct. 13-21	Antlerless	GMU 209	20
Sinlahekin C	Oct. 13-21	Antlerless	GMU 215	25
Chewuch B	Oct. 13-21	Antlerless	GMU 218	35
Pearrygin B	Oct. 13-21	Antlerless	GMU 224	35
Gardner B	Oct. 13-21	Antlerless	GMU 231	25
Pogue B	Oct. 13-21	Antlerless	GMU 233	20
Chiliwist B	Oct. 13-21	Antlerless	GMU 239	25
Alta B	Oct. 13-21	Antlerless	GMU 242	25
Chiwawa E	Oct. 13-28	Antlerless	GMU 245	15
Entiat E	Oct. 13-28	Antlerless	GMU 247	15
Swakane C	Oct. 13-28	Antlerless	GMU 250	15
Mission D	Oct. 13-28	Any deer	GMU 251	15
Bridgeport A	Oct. 13-21	Antlerless	GMUs 248, 260	20
Palisades A	Oct. 13-21	Antlerless	GMUs 266, 269	10
Sunnyside A	Oct. 13-21	Antlerless	GMU 372	15
Horse Heaven Hills A	Oct. 13-21	Antlerless	GMU 373	10
Kahlotus C	Oct. 13-21	Antlerless	GMU 381	15
East Klickitat C	Oct. 13-26	3 pt. min. or antlerless	GMU 382	20
Grayback D	Oct. 13-26	3 pt. min. or antlerless	GMU 388	10
Lincoln B	Oct. 13-31	Any deer	GMU 501	5
Stella B	Oct. 13-31	Any deer	GMU 504	5
Mossyrock C	Oct. 13-31	Any deer	GMU 505	15
Stormking C	Oct. 13-31	Any deer	GMU 510	5
South Rainier C	Oct. 13-31	Any deer	GMU 513	5
Packwood C	Oct. 13-31	Any deer	GMU 516	5
Winston C	Oct. 13-31	Any deer	GMU 520	5
Yale C	Oct. 13-31	Any deer	GMU 554	5
Toutle C	Oct. 13-31	Any deer	GMU 556	10
Lewis River C	Oct. 13-31	Any deer	GMU 560	5
Wasougal C	Oct. 13-31	Any deer	GMU 568	10
Siouxon C	Oct. 13-31	Any deer	GMU 572	5
Wind River D	Oct. 13-31	2 pt. min. or antlerless	GMU 574	2
West Klickitat D	Oct. 13-31	2 pt. min. or antlerless	GMU 578	5
Copalis	Oct. 13-31	Any deer	GMU 642	20
North River C	Oct. 13-31	Any deer	GMU 658	10
Williams Creek	Oct. 13-31	Any deer	GMU 673	20
Disabled Hunter Deer Permits (Hunters must use method/weapon listed on their tag. All weapon types may apply unless otherwise noted.)				
East Okanogan D	Restricted to general early season by tag choice	Antlerless	GMU 204	15
Wannacut C		Antlerless	GMU 209	20
Sinlahekin D		Antlerless	GMU 215	25
Chewuch C		Antlerless	GMU 218	35
Pearrygin C		Antlerless	GMU 224	35
Gardner C		Antlerless	GMU 231	25
Pogue C		Antlerless	GMU 233	20
Chiliwist C		Antlerless	GMU 239	25
Alta C		Antlerless	GMU 242	25
Chiwawa F		Antlerless, modern firearm only	GMU 245	15

Hunt Name	Permit Season Dates	Special Restrictions	Boundary Description	Permits
Entiat F	Oct. 13-28	Antlerless, modern firearm only	GMU 247	25
Mission E	Oct. 13-28	Any deer, modern firearm only	GMU 251	25
Bridge Port B	Restricted to general early season by tag choice	Any deer	GMUs 248, 260	15
Palisades B		Any deer	GMUs 266, 269	5
Sunnyside B	Restricted to general early season by tag choice	Antlerless	GMU 372	10
Kahlotus D		Antlerless	GMU 381	10
East Klickitat D		3 pt. min. or antlerless	GMU 382	20
Grayback E		3 pt. min. or antlerless	GMU 388	10
Green River B	Oct. 27 - Nov. 2	Any deer, modern firearm only	GMU 485	5
Lincoln C	Restricted to general early season by tag choice	Any deer	GMU 501	3
Stella C		Any deer	GMU 504	3
Mossyrock D		Any deer	GMU 505	5
Stormking D		Any deer	GMU 510	3
South Rainier D		Any deer	GMU 513	3
Packwood D		Any deer	GMU 516	3
Winston D		Any deer	GMU 520	3
Yale D		Any deer	GMU 554	3
Toutle D		Any deer	GMU 556	5
Lewis River D		Any deer	GMU 560	2
Wasougal D		Any deer	GMU 568	10
Siouxon D		Any deer	GMU 572	3
Wind River E		2 pt. min. or antlerless	GMU 574	1
West Klickitat E		2 pt. min. or antlerless	GMU 578	3
Capitol Peak C		Any deer	GMU 663	30
Skookumchuck C		Any deer	GMU 667	30
North River D		Any deer	GMU 658	5

Youth Special Deer Permit Hunts (Must be eligible for the youth hunting license and accompanied by an adult during the hunt.)**Modern Firearm Only**

Blue Mtns. Foothills E	Oct. 13-21	Antlerless	GMUs 149, 154, 162-163	40
Blue Mtns. Foothills F	Oct. 13-21	Antlerless	GMUs 145, 172-181	40
East Okanogan E	Oct. 13-21	Antlerless	GMU 204	70
Wannacut D	Oct. 13-21	Antlerless	GMU 209	40
Sinlahekin E	Oct. 13-21	Antlerless	GMU 215	80
Chewuch D	Oct. 13-21	Antlerless	GMU 218	135
Pearrygin D	Oct. 13-21	Antlerless	GMU 224	135
Gardner D	Oct. 13-21	Antlerless	GMU 231	50
Pogue D	Oct. 13-21	Antlerless	GMU 233	40
Chiliwist D	Oct. 13-21	Antlerless	GMU 239	80
Alta D	Oct. 13-21	Antlerless	GMU 242	90
Chiwawa G	Oct. 13-28	Antlerless	GMU 245	85
Entiat G	Oct. 13-28	Antlerless	GMU 247	55
Swakane D	Oct. 13-28	Antlerless	GMU 250	30
Mission F	Oct. 13-28	Antlerless	GMU 251	210
Bridge Port C	Oct. 13-21	Antlerless	GMUs 248, 260	175
Palisades C	Oct. 13-21	Antlerless	GMUs 266, 269	50
Lakeview C	Oct. 13-21	Any deer	Deer Area 2011	10
Benge B	Oct. 23-31	Antlerless	Deer Area 2010	20
Desert E	Sept. 22-23	Any deer	GMU 290	2
Horse Heaven Hills B	Oct. 13-21	Antlerless	GMU 373	10
Kahlotus E	Oct. 13-21	Antlerless	GMU 381	20
Grayback F	Oct. 13-26	Any deer	GMU 388	20
East Klickitat E	Oct. 13-26	Any deer	GMU 382	30

Hunt Name	Permit Season Dates	Special Restrictions	Boundary Description	Permits
Green River C	Oct. 27 - Nov. 2	Antlerless	GMU 485	5
Lincoln D	Oct. 13-31	Any deer	GMU 501	10
Stella D	Oct. 13-31	Any deer	GMU 504	10
Mossyrock E	Oct. 13-31	Any deer	GMU 505	10
Stormking E	Oct. 13-31	Any deer	GMU 510	10
South Rainier E	Oct. 13-31	Any deer	GMU 513	10
Packwood E	Oct. 13-31	Any deer	GMU 516	10
Winston E	Oct. 13-31	Any deer	GMU 520	10
Yale E	Oct. 13-31	Any deer	GMU 554	10
Toutle E	Oct. 13-31	Any deer	GMU 556	60
Lewis River E	Oct. 13-31	Any deer	GMU 560	10
Wasougal E	Oct. 13-31	Any deer	GMU 568	10
Siouxon E	Oct. 13-31	Any deer	GMU 572	10
Wind River F	Oct. 13-31	Any deer	GMU 574	15
West Klickitat F	Oct. 13-31	Any deer	GMU 578	15
Satsop B	Oct. 13-31	Any deer	GMU 651	10
Skookumchuck D	Oct. 6-31	Any deer	GMU 667	60
North River E	Oct. 13-31	Any deer	GMU 658	10

Youth Special Deer Permit Hunts (Must be eligible for the youth hunting license and accompanied by an adult during the hunt.)**Muzzleloader Only**

East Okanogan F	Oct. 6-12	Antlerless	GMU 204	10
Wannacut E	Oct. 6-12	Antlerless	GMU 209	10
Pogue E	Oct. 6-12	Antlerless	GMU 233	10
Chiliwist E	Oct. 6-12	Antlerless	GMU 239	10
Alta E	Oct. 6-12	Antlerless	GMU 242	10
Mission G	Oct. 1-12	Any deer	GMU 251	20
Ritzville C	Oct. 6-12	Antlerless	GMU 284	50
Desert F	Sept. 8-9	Any deer	GMU 290	2
Whitcomb D	Sept. 1-7	Antlerless	Deer Area 3071	7
Paterson B	Sept. 1-7	Antlerless	Deer Area 3072	10

Youth Special Deer Permit Hunts (Must be eligible for the youth hunting license and be accompanied by an adult during the hunt.)**Archery Only**

Desert G	Sept. 15-16	Any deer	GMU 290	2
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Special Deer Permits - Second Deer Tag

These permits are only valid when a second license and tag is purchased. Hunters must use the method/weapon listed on their tag. The second deer license and tag type must be the same tag type as the first one. These 2nd deer special permit hunts will not affect hunters' accumulated points.

Hunt Name	Second Tag Season	Special Restrictions	Boundary Description	Permits
Huckleberry B	Restricted to general seasons by tag choice	Whitetail, antlerless	GMU 121	400
Mt. Spokane B		Whitetail, antlerless	GMU 124	500
Almota B		Antlerless	GMU 142	100
Mica Peak B	Modern firearm and archery general season only	Whitetail, antlerless	GMU 127	200
Northeast	Archery tag required. Any open archery hunt. Must use archery equipment.	Whitetail, antlerless	GMUs 105, 108, 121, 124	400
Benge C	Dec. 16-31	Antlerless	Deer Area 2010	20
Lakeview C	Jan. 1-30	Antlerless	Deer Area 2011	20
Methow	Sept. 4 - Oct. 12	Antlerless	Deer Area 2012	50
High Prairie	Restricted to general early season by tag choice	Antlerless	Deer Area 3088	50

Hunt Name	Permit Season Dates	Special Restrictions	Boundary Description	Permits
Shaw	Restricted to general seasons by tag choice	Any deer	Deer Area 4004	50
Lopez		Any deer	Deer Area 4005	50
Orcas		Any deer	Deer Area 4006	50
Decatur		Any deer	Deer Area 4007	50
Blakely		Any deer	Deer Area 4008	50
Cypress		Any deer	Deer Area 4009	50
San Juan		Any deer	Deer Area 4010	50
Camano		Antlerless	Deer Area 4011	50
Whidbey		Antlerless	Deer Area 4012	125
Vashon-Maury		Antlerless	Deer Area 4013	125
Guemes		Antlerless	Deer Area 4926	50
Anderson		Antlerless	Deer Area 6014	50
((Advanced Hunter Education (AHE))) Master Hunter Special Deer Permit Hunts: Only ((AHE)) master hunters may apply; antlerless only hunts will not affect accumulated points; any weapon may be used.				
Lakeview D	Dec. 9-31	Antlerless	Deer Area 2011	20

Hunter Education Instructor Incentive Permits

- Special deer permits will be allocated through a random drawing to those hunter education instructors that qualify.
- Permit hunters must use archery equipment during archery seasons, muzzleloader equipment during muzzleloader seasons, and any legal weapon during modern firearm seasons.
- Qualifying hunter education instructors must be certified and have been in active status for a minimum of three consecutive years, inclusive of the year prior to the permit drawing.
- Instructors who are drawn, accept a permit, and are able to participate in the hunt, will not be eligible for these incentive permits for a period of ten years thereafter.
- Permittees may purchase a second license for use with the permit hunt only.

Area	Dates	Restrictions	GMUs	Permits
Region 1	All general season and permit seasons established for GMUs included with the permit	Any white-tailed deer	Any 100 series GMU except GMU 157	2
Region 2		Any white-tailed deer	GMUs 204-215	2
Region 2		Any deer	GMUs 215-251	1
Region 2		Any deer	GMU 290	1
Region 3		Any deer	GMUs 335-368, 382, 388	1
Region 4		Any deer	Any 400 series GMU except GMU 485	2
Region 5		Legal buck for 500 series GMU of choice or antlerless	Any 500 series GMU open for a general deer hunting season or a special deer permit hunting season	6
Region 6		Legal buck for GMU of choice	GMUs 654, 660, 672, 673, 681	1

AMENDATORY SECTION (Amending Order 07-166, filed 8/9/07, effective 9/9/07)

WAC 232-28-354 2007 Elk special permits.

Special Elk Permit Hunting Seasons (Open to Permit Holders Only)

Hunters must purchase an elk hunting license prior to purchase of a permit application. Hunters may only apply for permits consistent with the tag required for the hunt choice; however, Multiple Season Permit holders may apply for Eastern or Western Washington archery, muzzleloader, or modern firearm permit hunts. Applicants must have purchased the proper tag for these hunts. The elk tag prefixes required to apply for each hunt are shown in the following table. Hunters drawn for a special permit hunt must comply with weapon restrictions and dates listed for the hunt.

Hunt Name	Permit Season Dates	Special Restrictions	Elk Tag Prefix	Boundary Description	Permits
Modern Firearm Bull Permit Hunts (Only modern firearm elk tag holders may apply.)					
Prescott A	Oct. 22 - Nov. 4	Any bull	EF	GMU 149	2
Blue Creek A	Oct. 22 - Nov. 4	Any bull	EF	GMU 154	2
Watershed	Oct. 27 - Nov. 4	3 pt. min. or Antlerless	EA, EF, EM	GMU 157	45
Dayton A	Oct. 22 - Nov. 4	Any bull	EF	GMU 162	13
Tucannon A	Oct. 22 - Nov. 4	Any bull	EF	Elk Area 1014	4
Wenaha A	Oct. 22 - Nov. 4	Any bull	EF	GMU 169	17

Hunt Name	Permit Season Dates	Special Restrictions	Elk Tag Prefix	Boundary Description	Permits
Mountain View A	Oct. 22 - Nov. 4	Any bull	EF	GMU 172	6
Couse A	Oct. 22 - Nov. 4	Any bull	EF	GMU 181	1
Mission A	Oct. 22 - Nov. 4	Any bull	EF	GMU 251	2
Colockum A	Oct. 22 - Nov. 4	Any bull	EF	GMUs 328, 329	9
Teanaway A	Dec. 19-30	Any bull	EF	GMU 335	22
Teanaway A-1	Oct. 22 - Nov. 4	Any bull	EF	GMU 335	1
Peaches Ridge A	Oct. 22 - Nov. 4	Any bull	EF	GMUs 336, 346	135
Little Naches A	Oct. 1-10	Any bull	EF	GMU 346	15
Observatory A	Oct. 22 - Nov. 4	Any bull	EF	GMUs 340, 342	80
Goose Prairie A	Oct. 22 - Nov. 4	Any bull	EF	GMUs 352, 356	96
Bethel A	Oct. 22 - Nov. 4	Any bull	EF	GMU 360	62
Rimrock A	Oct. 22 - Nov. 4	Any bull	EF	GMU 364	123
Cowiche A	Oct. 22 - Nov. 4	Any bull	EF	GMU 368	24
Klickitat Meadows A	Oct. 22 - Nov. 4	Any bull	EF	Elk Area 3068	1
Nooksack A	Oct. 13 - Nov. 11	Any bull	WF	GMU 418	7
Green River	Oct. 27 - Nov. 2	Any bull	WF	GMU 485	3
Margaret A	Nov. 3-12	Any bull	WF	GMU 524	35
Toutle A	Nov. 3-12	Any bull	WF	GMU 556	130
Clearwater	Oct. 1-10	Any bull	WA, WF, WM	GMU 615	2
Matheny	Oct. 1-10	Any bull	WA, WF, WM	GMU 618	3
Olympic A	Nov. 1-9	3 pt. min.	WF	GMU 621, EXCEPT for Elk Area 6071	14
Skokomish A	Nov. 1-9	3 pt. min.	WF	GMU 636	9
Wynoochee	Oct. 1-10	Any bull	WA, WF, WM	GMU 648	1
White River A	Nov. 3-12	Any bull	WF	GMU 653	40

Modern Firearm Elk Permit Hunts (Only modern firearm elk tag holders may apply.)

Aladdin A	Oct. 27 - Nov. 4	Any elk	EF	GMU 111	15
Selkirk A	Oct. 27 - Nov. 4	Any elk	EF	GMU 113	20
49 Degrees North A	Oct. 27 - Nov. 4	Any elk	EF	GMU 117	45
Blue Creek B	Oct. 27 - Nov. 4	Antlerless	EF	GMUs 149, 154	100
Prescott B	Oct. 27 - Nov. 4	Antlerless	EF	GMU 149	75
Dayton B	Oct. 27 - Nov. 4	Antlerless	EF	GMU 163 and Elk Area 1011	100
Dayton C	Oct. 27 - Nov. 4	Antlerless	EF	GMU 149 and Elk Area 1012	100
Peola A	Oct. 27 - Nov. 4	Antlerless	EF	GMU 178	50
Couse B	Oct. 1-12	Antlerless	EF	GMU 181	30
Mountain View B	Oct. 27 - Nov. 6	Antlerless	EF	Elk Area 1013	20
Lick Creek A	Oct. 27 - Nov. 4	Antlerless	EF	GMU 175	25
Malaga A	Sept. 8-30	Any elk	EF	Elk Area 2032	5
Malaga B	Sept. 15-25	Antlerless	EF	Elk Area 2032	35
Malaga C	Nov. 6 - Dec. 31	Antlerless	EF	Elk Area 2032	100
Malaga D	Nov. 6 - Dec. 18	Any elk	EF	Elk Area 2032	7
Peshastin A	Sept. 15 - Oct. 5	Antlerless	EF	Elk Area 2033	20
Peshastin B	Oct. 13-31	Any elk	EF	Elk Area 2033	5
West Bar A	Oct. 27-31	Antlerless	EF	GMU 330	5
West Bar B	Nov. 1-4	Antlerless	EF	GMU 330	5
Teanaway B	Dec. 19 - Jan. 13, 2008	Antlerless	EF	GMU 335	100
Taneum A	Oct. 31 - Nov. 4	Antlerless	EF	GMU 336	150
Manastash A	Oct. 31 - Nov. 4	Antlerless	EF	GMU 340	250
Umtanum A	Oct. 31 - Nov. 4	Antlerless	EF	GMU 342	250
Cleman	Dec. 1-15	Antlerless	EF	Elk Area 3944	50
Little Naches B	Oct. 31 - Nov. 4	Antlerless	EF	GMU 346	150
Nile A	Oct. 31 - Nov. 4	Antlerless	EF	GMU 352	50
Bumping B	Oct. 31 - Nov. 4	Antlerless	EF	GMU 356	100
Bethel B	Oct. 31 - Nov. 4	Antlerless	EF	GMU 360	100

Hunt Name	Permit Season Dates	Special Restrictions	Elk Tag Prefix	Boundary Description	Permits
Rimrock B	Oct. 31 - Nov. 4	Antlerless	EF	GMU 364	150
Cowiche B	Oct. 31 - Nov. 4	Antlerless	EF	GMU 368	150
Klickitat Meadows B	Oct. 31 - Nov. 4	Spike bull or antlerless	EF	Elk Area 3068	9
Alkali A	Oct. 20 - Nov. 4	Any elk	EF	GMU 371	25
Mossyrock A	Nov. 3-12	Antlerless	WF	GMU 505	50
Willapa Hills A	Nov. 3-12	Antlerless	WF	GMU 506	35
Winston A	Nov. 3-12	Antlerless	WF	GMU 520	130
Margaret B	Nov. 3-12	Antlerless	WF	GMU 524	50
Margaret C	Nov. 24 - Dec. 2	Antlerless	WF	GMU 524	50
Ryderwood A	Nov. 3-12	Antlerless	WF	GMU 530	35
Coweeman A	Nov. 3-12	Antlerless	WF	GMU 550	225
Coweeman B	Jan. 1-15, 2008	Antlerless	WF	GMU 550	50
Toutle B	Nov. 3-12	Antlerless	WF	GMU 556	70
Toutle C	Nov. 24 - Dec. 2	Antlerless	WF	GMU 556	100
Toledo A	Nov. 3-12	Antlerless	WF	Elk Area 5029	20
Green Mtn C	Nov. 3-12	Antlerless	WF	Elk Area 5051	10
Carlton	Sept. 22-30	Any bull	WF	Elk Area 5057	5
West Goat Rocks	Sept. 22-30	Any bull	WF	Elk Area 5058	5
Mt. Adams	Sept. 22-30	Any bull	WF	Elk Area 5059	5
Wildwood A	Jan. 16-30, 2008	Antlerless	WF	Elk Area 5061	15
Lewis River A	Nov. 3-12	Antlerless	WF	GMU 560	375
Siouxon A	Nov. 3-12	Antlerless	WF	GMU 572	125
Raymond A	Nov. 5-10	3 pt. min. or antlerless	WF	Elk Area 6010	20
Raymond B	Dec. 16-31	Antlerless	WF	Elk Area 6010	30
Raymond C	Jan. 1-30, 2008	Antlerless	WF	Elk Area 6010	15
Raymond D	Feb. 1-28, 2008	Antlerless	WF	Elk Area 6010	15
Chehalis Valley A	Oct. 1-31	Antlerless	WF	Elk Area 6066	5
Chehalis Valley B	Nov. 5-10	Antlerless	WF	Elk Area 6066	5
North Minot A	Oct. 20-31	Antlerless	WF	Elk Area 6067	20
Deschutes	Jan. 15-23, 2008	Antlerless	WF	GMU 666	10
North River	Nov. 8-13	Antlerless	WF	GMU 658	10
Williams Creek	Nov. 8-13	Antlerless	WF	GMU 673	50
Tri Valley A	Dec. 1 - Jan. 30, 2008	Antlerless	WF	Elk Area 6012	10
North Shore A	Nov. 4-8	Antlerless	WF	Elk Area 6068	5

Muzzleloader Bull Permit Hunts (Only muzzleloader elk tag holders may apply.)

Note: Fire closures may limit access during early October seasons.

Prescott C	Oct. 1-10	Any bull	EM	GMU 149	1
Blue Creek C	Oct. 1-10	Any bull	EM	GMU 154	1
Dayton D	Oct. 1-10	Any bull	EM	GMU 162	2
Tucannon B	Oct. 1-10	Any bull	EM	Elk Area 1014	1
Wenaha B	Oct. 1-10	Any bull	EM	GMU 169	3
Mountain View C	Oct. 1-10	Any bull	EM	GMU 172	2
Couse D	Oct. 1-10	Any bull	EM	GMU 181	1
Mission B	Oct. 1-10	Any bull	EM	GMU 251	1
Colockum B	Oct. 1-10	Any bull	EM	GMUs 328, 329	2
Teanaway C	Dec. 9-18	Any elk	EM	GMU 335	7
Peaches Ridge B	Oct. 1-10	Any bull	EM	GMUs 336, 346	19
Observatory B	Oct. 1-10	Any bull	EM	GMUs 340, 342	23
Goose Prairie B	Oct. 1-10	Any bull	EM	GMUs 352, 356	14
Bethel C	Oct. 1-10	Any bull	EM	GMU 360	12
Rimrock C	Oct. 1-10	Any bull	EM	GMU 364	17
Cowiche C	Oct. 1-10	Any bull	EM	GMU 368	8
Klickitat Meadows C	Oct. 1-10	Any bull	EM	Elk Area 3068	1
Nooksack B	Sept. 29 - Oct. 12 and Nov. 12-30	Any bull	WM	GMU 418	3
Margaret D	Oct. 6-12	Any bull	WM	GMU 524	8

Hunt Name	Permit Season Dates	Special Restrictions	Elk Tag Prefix	Boundary Description	Permits
Toutle D	Oct. 6-12	Any bull	WM	GMU 556	26
Olympic B	Oct. 4-10	Any bull	WM	GMU 621, EXCEPT for Elk Area 6071	3
Skokomish B	Oct. 4-10	Any bull	WM	GMU 636	2
White River B	Oct. 1-10	Any bull	WM	GMU 653	3
Muzzleloader Permit Hunts (Only muzzleloader elk tag holders may apply.)					
Aladdin B	Oct. 6-12	Any elk	EM	GMU 111	10
Selkirk B	Oct. 6-12	Any elk	EM	GMU 113	10
49 Degrees North B	Oct. 6-12	Any elk	EM	GMU 117	20
Blue Creek D	Dec. 9 - Jan. 30, 2008	Antlerless	EM	GMUs 149, 154	60
Mountain View D	Oct. 1-12	Antlerless	EM	Elk Area 1013	20
Lick Creek B	Oct. 1-10	Antlerless	EM	GMU 175	25
Couse E	Dec. 1-31	Antlerless	EM	GMU 181	30
Couse F	Jan. 1-30, 2008	Antlerless	EM	GMU 181	30
Malaga E	Oct. 1-21	Antlerless	EM	Elk Area 2032	50
Malaga F	Oct. 1-21	Any elk	EM	Elk Area 2032	8
West Bar C	Oct. 6-12	Antlerless	EM	GMU 330	5
Taneum B	Oct. 6-12	Antlerless	EM	GMU 336	25
Manastash B	Oct. 6-12	Antlerless	EM	GMU 340	25
Umtanum B	Oct. 6-12	Antlerless	EM	GMU 342	250
Nile B	Oct. 6-12	Antlerless	EM	GMU 352	40
Bumping B	Oct. 6-12	Antlerless	EM	GMU 356	90
Bethel D	Oct. 6-12	Antlerless	EM	GMU 360	40
Cowiche D	Oct. 6-12	Antlerless	EM	GMU 368	225
Klickitat Meadows D	Oct. 6-12	Spike bull or antlerless	EM	Elk Area 3068	4
Alkali B	Oct. 1-15	Any elk	EM	GMU 371	15
Stella A	Nov. 21 - Dec. 15	Antlerless	WM	GMU 504	150
Stella B	Jan. 1-16, 2008	Antlerless	WM	GMU 504	100
Toledo B	Dec. 7-20	Antlerless	WM	Elk Area 5029	30
Mossyrock B	Jan. 1-16, 2008	Antlerless	WM	Elk Area 5052	30
Randle A	Jan. 1-16, 2008	Antlerless	WM	Elk Area 5053	15
Boistfort A	Jan. 1-16, 2008	Antlerless	WM	Elk Area 5054	40
Willapa Hills B	Nov. 21 - Dec. 15	Antlerless	WM	GMU 506	15
Green Mt. A	Jan. 1-16, 2008	Antlerless	WM	Elk Area 5051	30
Wildwood B	Jan. 1-15, 2008	Antlerless	WM	Elk Area 5061	15
Winston B	Nov. 21 - Dec. 15	Antlerless	WM	GMU 520	60
Margaret E	Oct. 6-12	Antlerless	WM	GMU 524	40
Ryderwood B	Oct. 6-12	Antlerless	WM	GMU 530	15
Coweeman C	Nov. 21 - Dec. 15	Antlerless	WM	GMU 550	60
Toutle E	Oct. 6-12	Antlerless	WM	GMU 556	75
Lewis River B	Oct. 6-12	Antlerless	WM	GMU 560	225
Siouxon B	Oct. 6-12	Antlerless	WM	GMU 572	75
Yale A	Oct. 6-12	Antlerless	WM	GMU 554	75
Yale B	Nov. 21 - Dec. 15	3 pt. min. or antlerless	WM	GMU 554	75
Twin Satsop A	Jan. 5-15, 2008	Antlerless	WM	Elk Area 6061	10
Mashel A	Jan. 1-15, 2008	Antlerless	WM	Elk Area 6054	25
North River	Nov. 26 - Dec. 15	Antlerless	WM	GMU 658	20
North Minot B	Oct. 1-7	Antlerless	WM	Elk Area 6067	20
Raymond E	Oct. 1-31	Antlerless	WM	Elk Area 6010	30
Chehalis Valley C	Jan. 1-30, 2008	Antlerless	WM	Elk Area 6066	15
Capitol Peak A	Nov. 19 - Dec. 15	Antlerless	WM	GMU 663	15
Tri Valley B	Dec. 16 - Jan. 30, 2008	Antlerless	WM	Elk Area 6012	30
Archery Permit Hunts (Only archery elk tag holders may apply.)					
Note: Fire closures may limit access during September seasons.					
Prescott D	Sept. 8-21	Any bull	EA	GMU 149	1

Hunt Name	Permit Season Dates	Special Restrictions	Elk Tag Prefix	Boundary Description	Permits
Blue Creek E	Sept. 8-21	Any bull	EA	GMU 154	2
Dayton E	Sept. 8-21	Any bull	EA	GMU 162	7
Tucannon C	Sept. 8-21	Any bull	EA	Elk Area 1014	3
Wenaha C	Sept. 8-21	Any bull	EA	GMU 169	4
Mountain View E	Sept. 8-21	Any bull	EA	GMU 172	3
Couse G	Sept. 8-21	Any bull	EA	GMU 181	1
Colockum C	Sept. 8-21	Any bull	EA	GMUs 328, 329	3
Teanaway E	Nov. 20 - Dec. 8	Any bull	EA	GMU 335	34
Peaches Ridge C	Sept. 8-21	Any bull	EA	GMUs 336, 346	104
Observatory C	Sept. 8-21	Any elk	EA	GMUs 340, 342	91
Goose Prairie C	Sept. 8-21	Any bull	EA	GMUs 352, 356	138
Bethel E	Sept. 8-21	Any bull	EA	GMU 360	43
Rimrock D	Sept. 8-21	Any bull	EA	GMU 364	93
Cowiche E	Sept. 8-21	Any bull	EA	GMU 368	18
Klickitat Meadows E	Oct. 11-22	Any bull	EA	Elk Area 3068	1
Klickitat Meadows F	Oct. 11-22	Spike bull or antlerless	EA	Elk Area 3068	9
Malaga G	Sept. 1-7	Antlerless	EA	Elk Area 2032	25
Peshastin C	Sept. 1-14	Any elk	EA	Elk Area 2033	15
Nooksack C	Sept. 1-28 and Dec. 1-31	Any bull	WA	GMU 418	3
Margaret F	Sept. 15-30 and Dec. 1-15	Any bull	WA	GMU 524	13
Margaret G	Sept. 15-30 and Dec. 1-15	Antlerless	WA	GMU 524	50
Toutle F	Sept. 15-30 and Dec. 1-15	Any bull	WA	GMU 556	66
Toutle G	Sept. 15-30 and Dec. 1-15	Antlerless	WA	GMU 556	90
Lewis River C	Nov. 21-30	3 pt. min. or antlerless	WA	GMU 560	50
Siouxon C	Nov. 21-30	3 pt. min. or antlerless	WA	GMU 572	25
Olympic C	Sept. 8-21	3 pt. min.	WA	GMU 621, EXCEPT for Elk Area 6071	7
Skokomish C	Sept. 8-21	3 pt. min.	WA	GMU 636	6
White River C	Sept. 8-21	Any bull	WA	GMU 653	11

((Advanced Hunter Education (AHE))) Master Hunter Special Elk Permit Hunts: Only ((AHE)) master hunters may apply; antlerless only hunts will not affect accumulated points; and any weapon may be used.

Peshastin D	Aug. 18-31	Any elk	Any elk tag	Elk Area 2033	5
Mossyrock C	Jan. 17-30, 2008	Antlerless	Any elk tag	Elk Area 5052	20
Randle B	Jan. 17-30, 2008	Antlerless	Any elk tag	Elk Area 5053	15
Quinalt Ridge	Oct. 1-10	3 pt. min. or antlerless	Any elk tag	GMU 638	5
Green Mt. B	Jan. 17-30, 2008	Antlerless	Any elk tag	Elk Area 5051	20
Merwin A	Nov. 21 - Dec. 15	Antlerless	Any elk tag	Elk Area 5060	10
Merwin B	Jan. 17-30, 2008	Antlerless	Any elk tag	Elk Area 5060	10

((Advanced Hunter Education (AHE))) Master Hunter, Second Elk Tag Hunts: Only ((AHE)) master hunters may apply; these hunts will not affect accumulated points; a second tag may be purchased by successful applicants as needed; and any weapon may be used. The second elk license and tag type must be the same tag type as the first one.

Peola B	Oct. 1-12	Antlerless	Any elk tag	GMU 178	15
Malaga H	Aug. 1 - Mar. 31, 2008	Antlerless	Any elk tag	Elk Area 2032	100 ^{HM}
Malaga I	Aug. 1 - Feb. 28, 2008	Any elk	Any elk tag	Elk Area 2032	20 ^{HM}
Peshastin E	Aug. 1 - Mar. 31, 2008	Antlerless	Any elk tag	Elk Area 2033	50 ^{HM}
Peshastin F	Aug. 1 - Feb. 28, 2008	Any elk	Any elk tag	Elk Area 2033	20 ^{HM}
Fairview	Feb. 1-29, 2008	Antlerless	Any elk tag	Elk Area 3911	20 ^{HM}
Rattlesnake Hills	Aug. 1 - Feb. 29, 2008	Antlerless or spike bull	Any elk tag	Designated areas in GMU 372	20 ^{HM}
Toledo C	Dec. 21-31	Antlerless and spike bull	Any elk tag	Elk Area 5029	20
Toledo D	Aug. 1-7	Antlerless and spike bull	Any archery elk tag	Elk Area 5029	5
Toledo E	Aug. 8-14	Antlerless and spike bull	Any archery elk tag	Elk Area 5029	5
Toledo F	Aug. 15-21	Antlerless and spike bull	Any archery elk tag	Elk Area 5029	5

Hunt Name	Permit Season Dates	Special Restrictions	Elk Tag Prefix	Boundary Description	Permits
Toledo G	Aug. 22-28	Antlerless and spike bull	Any archery elk tag	Elk Area 5029	5
Boistfort B	Aug. 1-7	Antlerless and spike bull	Any archery elk tag	Elk Area 5054	5
Boistfort C	Aug. 8-14	Antlerless and spike bull	Any archery elk tag	Elk Area 5054	5
Boistfort D	Aug. 15-21	Antlerless and spike bull	Any archery elk tag	Elk Area 5054	5
Boistfort E	Aug. 22-28	Antlerless and spike bull	Any archery elk tag	Elk Area 5054	5
JBH *	Nov. 12 - Feb. 28, 2008	Antlerless	Any elk tag	Elk Area 5090	20 ^{HM}
Trout Lake A**	Nov. 21-30	Antlerless	Any elk tag	Elk Area 5062	5
Trout Lake B**	Dec. 1-14	Antlerless	Any elk tag	Elk Area 5062	5
Trout Lake C**	Dec. 15-31	Antlerless	Any elk tag	Elk Area 5062	5
Trout Lake D**	Jan. 1-14, 2008	Antlerless	Any elk tag	Elk Area 5062	5
Trout Lake E**	Jan. 15-30, 2008	Antlerless	Any elk tag	Elk Area 5062	5
North River B	Dec. 16 - Feb. 28, 2008	Antlerless	Any elk tag	Designated areas in GMU 658	10 ^{HM}
Chehalis Valley D	Aug. 1 - Feb. 28, 2008	Antlerless	Any elk tag	Designated areas in Elk Area 6066	10 ^{HM}
Raymond F	Dec. 1 - Mar. 31, 2008	Antlerless	Any elk tag	Elk Area 6010	10 ^{HM}
Hanaford C	Aug. 1 - Mar. 31, 2008	Antlerless	Any elk tag	Designated areas in Elk Area 6069	5 ^{HM}
Dungeness A	Sept. 1 - Feb. 28, 2008	3 pt. min.	Any elk tag	Elk Area 6071 north of Hwy 101 only	12
Dungeness B	Oct. 1 - Dec. 31	Antlerless	Any elk tag	Elk Area 6071 north of Hwy 101 only	8
Youth - Special Elk Permit Hunts (Must be eligible for the youth hunting license and accompanied by an adult during the hunt.)					
Mudflow A	Oct. 9-14	Antlerless	WF	Elk Area 5099	6
Mudflow B	Oct. 23-28	Antlerless	WF	Elk Area 5099	6
Mudflow C	Nov. 20-25	Antlerless	WF	Elk Area 5099	6
Dungeness C	Sept. 1 - Feb. 28, 2008	Any elk	Any elk tag	Elk Area 6071 north of Hwy 101 only	4
Sol Duc Valley	Aug. 1 - Jan. 22, 2008	Antlerless	Any elk tag	Elk Area 6072	10
Clearwater Valley	Aug. 1 - Mar. 31, 2008	Antlerless	Any elk tag	Elk Area 6073	1
Persons of Disability Only - Special Elk Permit Hunts					
Sol Duc Valley B	Aug. 1 - Jan. 22, 2008	Antlerless	Any elk tag	Elk Area 6072	5
Observatory D	Oct. 22 - Nov. 4	Any elk	EF or EM	GMUs 340, 342	7
Little Naches C	Oct. 1-10	Any elk	EF, EM, EA	GMU 346	5
Little Naches D	Oct. 31 - Nov. 4	Antlerless	EF, EM, EA	GMU 346	8
Alkali C	Oct. 20 - Nov. 4	Any elk	EF	GMU 371	4
Mudflow F	Oct. 16-21	Antlerless	Any elk tag	Elk Area 5099	6
Mudflow D	Sept. 25-30	Any elk	Any elk tag	Elk Area 5099	6
Mudflow E	Oct. 2-7	Any elk	Any elk tag	Elk Area 5099	6
Mudflow G	Oct. 30 - Nov. 4	Antlerless	Any elk tag	Elk Area 5099	6
Centralia Mine A	Oct. 27-28	Antlerless	Any elk tag	Elk Area 6011	2
Centralia Mine B	Nov. 3-4	Antlerless	Any elk tag	Elk Area 6011	2
North Shore B	Oct. 1-31	Antlerless	Any elk tag	Elk Area 6068	5
North Shore C	Dec. 16-31	Antlerless	Any elk tag	Elk Area 6068	5
Chehalis Valley E	Dec. 16-31	Antlerless	Any elk tag	Elk Area 6066	15
Hanaford A	Jan. 1-15, 2008	Antlerless	Any elk tag	Elk Area 6069	5
Hunters 65 or Older Only - Special Elk Permit Hunts					
Hanaford B	Jan. 16-30, 2008	Antlerless	Any elk tag	Elk Area 6069	5
Mudflow H	Sept. 18-23	Antlerless	Any elk tag	Elk Area 5099	6
Mudflow I	Nov. 6-12	Antlerless	Any elk tag	Elk Area 5099	6
Mudflow J	Nov. 27 - Dec. 2	Antlerless	Any elk tag	Elk Area 5099	6

- * Muzzleloaders only; scopes allowed in JBH hunt.
 ** May only hunt on privately owned lands. Must use only archery or legal shotgun (10 or 12 gauge; slugs only).
 HM This is a damage hunt administered by a WDFW designated hunt master. Successful applicants will be contacted on an as-needed basis to help with specific sites of elk damage on designated landowner's property. Not all successful applicants will be contacted in any given year depending on elk damage activity for that year.

Hunter Education Instructor Incentive Permits				
Area	Dates	Restrictions	GMUs	Permits
Region 3	All general season and permit seasons established for GMUs included with the permit	Any elk	GMUs 335-368	2
Region 5		Any elk	All 500 series GMUs except GMU 522	4
Region 6		Any elk	GMUs 654, 660, 672, 673, 681	1

AMENDATORY SECTION (Amending Order 07-166, filed 8/9/07, effective 9/9/07)

WAC 232-28-431 2007-08 Migratory waterfowl seasons and regulations.

DUCKS

Statewide

Oct. 13-17, 2007 and Oct. 20, 2007 - Jan. 27, 2008.

Special youth hunting weekend open only to hunters 15 years of age or under (must be accompanied by an adult at least 18 years old who is not hunting): Sept. 22-23, 2007.

Daily bag limit: 7 ducks, to include not more than 2 hen mallard, 1 pintail, 3 scaup, 2 canvasback, 2 redhead, 1 harlequin, 4 scoter, and 4 long-tailed duck.

Possession limit: 14 ducks, to include not more than 4 hen mallard, 2 pintail, 6 scaup, 4 canvasback, 4 redhead, 1 harlequin, 8 scoter, and 8 long-tailed duck.

Season limit: 1 harlequin.

WRITTEN AUTHORIZATION REQUIRED TO HUNT SEA DUCKS.

All persons hunting sea ducks (harlequin, scoter, long-tailed duck) in Western Washington are required to obtain a written authorization and harvest report from the Washington department of fish and wildlife. Hunters who did not possess a 2006-07 authorization must submit an application form to WDFW (forms available at Washington department of fish and wildlife, Olympia and regional offices).

Immediately after taking a sea duck into possession, hunters must record in ink the information required on the harvest report. Return of the harvest report is mandatory. By February 15, 2008, hunters must return the harvest report to the Washington department of fish and wildlife, or report harvest information on the department's internet reporting system. Hunters failing to comply with reporting requirements will be ineligible to participate in the 2008-09 sea duck season.

COOT (Mudhen)

Same areas, dates (including youth hunting weekend), and shooting hours as the general duck season.

Daily bag limit: 25 coots.

Possession limit: 25 coots.

COMMON SNIPE

Same areas, dates (except youth hunting weekend), and shooting hours as the general duck season.

Daily bag limit: 8 snipe.

Possession limit: 16 snipe.

GEESE (except Brant)

Special youth hunting weekend open only to hunters 15 years of age or under (must be accompanied by an adult at least 18 years old who is not hunting): Sept. 22-23, 2007, statewide except Western Washington Goose Management Areas 2A and 2B.

Daily bag limit: 4 Canada geese.

Possession limit: 8 Canada geese.

Western Washington Goose Seasons

Goose Management Area 1

Island, Skagit, Snohomish counties.

Oct. 20, 2007 - Jan. 27, 2008 for snow, Ross', or blue geese. Oct. 13-25, 2007 and Nov. 3, 2007 - Jan. 27, 2008 for other geese (except Brant).

Daily bag limit: 4 geese.

Possession limit: 8 geese.

WRITTEN AUTHORIZATION REQUIRED TO HUNT SNOW GEESE.

All persons hunting snow geese in this season are required to obtain a written authorization and harvest report from the Washington department of fish and wildlife. Hunters who did not possess a 2006-07 authorization must submit an applica-

tion form to WDFW (forms available at Washington department of fish and wildlife, Olympia and regional offices).

Immediately after taking a snow goose into possession, hunters must record in ink the information required on the harvest report. Return of the harvest report is mandatory. By February 15, 2008, hunters must return the harvest report to the Washington department of fish and wildlife, or report harvest information on the department's internet reporting system. Hunters failing to comply with reporting requirements will be ineligible to participate in the 2008-09 snow goose season.

It is unlawful to discharge a firearm for the purpose of hunting waterfowl within 100 feet of any paved public road on Fir Island in Skagit County. While hunting snow geese on Fir Island, if a hunter is convicted of 1) trespass, 2) shooting from, across, or along the maintained part of any public highway, 3) discharging a firearm for the purpose of hunting waterfowl within 100 feet of any paved public road on Fir Island in Skagit County, or 4) exceeding the daily bag limit for snow geese, written authorization will be invalidated for the remainder of the 2007-08 snow goose season and an authorization will not be issued for the 2008-09 snow goose season.

QUALITY HUNTING AREAS IN GOOSE MANAGEMENT AREA 1.

Hunters possessing written authorization to hunt snow geese in Goose Management Area 1 can apply for a special authorization to access private lands around Fir Island enrolled in a new quality snow goose hunting program. Hunters must apply for special authorization to hunt on these special areas by September 28, 2007, using the department's internet or mail application systems. A random drawing will select hunters for participation, and special hunt authorizations will be mailed prior to the season. Up to 3 individuals possessing snow goose authorizations can hunt with the successful applicant on each hunt day. Successful applicants must check in with the WDFW hunt coordinator at least one week prior to their first scheduled hunting day and all hunters must hunt over decoys. Special authorizations are not valid for commercial uses. Authorizations are valid for one week (only on Monday, Tuesday, Wednesday, Friday, and Saturday) during the period November 3, 2007 - January 27, 2008, and only on private lands specified by the WDFW hunt coordinator. Hunters will be assigned at random to private farms participating in the program.

Goose Management Area 2A

Cowlitz and Wahkiakum counties, and that part of Clark County north of the Washougal River.

Open in all areas except Ridgefield NWR from 8 a.m. to 4:00 p.m., Saturdays, Sundays, and Wednesdays only, Nov. 10-25, 2007 and Dec. 5, 2007 - Jan. 27, 2008. Ridgefield NWR open from 8 a.m. to 4:00 p.m. Tuesdays, Thursdays, and Saturdays only, Nov. 13-24, 2007 and Dec. 6, 2007 - Jan. 19, 2008, except closed Nov. 22 and Dec. 25, 2007, and Jan. 1, 2008.

Bag limits for Goose Management Area 2A:

Daily bag limit: 4 geese, to include not more than 1 dusky Canada goose and 2 cackling geese.

Possession limit: 8 geese, to include not more than 1 dusky Canada goose and 4 cackling geese.

Season limit: 1 dusky Canada goose.

Goose Management Area 2B

Pacific County.

Open from 8 a.m. to 4:00 p.m., Saturdays and Wednesdays only, Oct. 13, 2007 - Jan. 12, 2008.

Bag limits for Goose Management Area 2B:

Daily bag limit: 4 geese, to include not more than 1 dusky Canada goose, 1 Aleutian goose, and 2 cackling geese.

Possession limit: 8 geese, to include not more than 1 dusky Canada goose, 2 Aleutian geese, and 4 cackling geese.

Season limit: 1 dusky Canada goose.

Special Provisions for Goose Management Areas 2A and 2B:

A dusky Canada goose is defined as a dark-breasted (as shown in the Munsell color chart 10 YR, 5 or less) Canada goose with a culmen (bill) length of 40-50 mm. A cackling goose is defined as a goose with a culmen (bill) length of 32 mm or less.

The Canada goose season for Goose Management Areas 2A and 2B will be closed early if dusky Canada goose harvests exceed area quotas ((which)) that collectively total 80 geese. The fish and wildlife commission has authorized the director to implement emergency area closures in accordance with the following quotas: A total of 80 duskys, to be distributed 15 for Zone 1 (Ridgefield NWR); 25 for Zone 2 (Cowlitz County south of the Kalama River); 20 for Zone 3 (Clark County except Ridgefield NWR); 10 for Zone 4 (Cowlitz County north of the Kalama River and Wahkiakum County); and 10 for Zone 5 (Pacific County). Quotas may be shifted to other zones during the season to optimize use of the statewide quota and minimize predation.

Hunting is only permitted by written authorization from the Washington department of fish and wildlife. New hunters and those who did not maintain a valid 2006-07 authorization must review goose identification training materials and score a minimum of 80% on a goose identification test to receive written authorization. Hunters who fail a test must wait 28 days before retesting, and will not be issued a reciprocal authorization until that time.

With written authorization, hunters will receive a harvest report. Hunters must carry the authorization card and harvest report while hunting. Immediately after taking a Canada goose (dusky, lesser/Taverner, cackling, or other subspecies) into possession, hunters must record in ink the information required on the harvest report. Hunters must go directly to the nearest check station and have geese tagged when leaving a hunt site, before 6:00 p.m. If a hunter takes the season bag limit of one dusky Canada goose or does not comply with requirements listed above regarding checking of birds and recording harvest on the harvest report, written authorization will be invalidated and the hunter will not be able to hunt Canada geese in Goose Management Areas 2A and 2B for the remainder of the season and the special late Canada goose

season. It is unlawful to fail to comply with all provisions listed above for Goose Management Areas 2A and 2B.

Special Late Canada Goose Season for Goose Management Area 2A:

Open to Washington department of fish and wildlife ((advanced)) master hunter ((education (AHE))) program graduates, and youth hunters (15 years of age or under, who are accompanied by ((an AHE)) a master hunter), possessing a valid 2007-08 southwest Washington Canada goose hunting authorization, in areas with goose damage in Goose Management Area 2A on the following days, from 7:00 a.m. to 4:00 p.m.:

Saturdays and Wednesdays only, Feb. 2 - Mar. 5, 2008.

Daily bag limit: 4 Canada geese, to include not more than 1 dusky Canada goose, and 2 cackling geese.

Possession limit: 8 Canada geese, to include not more than 1 dusky Canada goose, and 4 cackling geese.

Season limit: 1 dusky Canada goose.

A dusky Canada goose is defined as a dark-breasted Canada goose (as shown in the Munsell color chart 10 YR, 5 or less) with a culmen (bill) length of 40-50 mm. A cackling goose is defined as a goose with a culmen (bill) length of 32 mm or less.

Hunters qualifying for the season will be placed on a list for participation in this hunt. Washington department of fish and wildlife will assist landowners with contacting qualified hunters to participate in damage control hunts on specific lands incurring goose damage. Participation in this hunt will depend on the level of damage experienced by landowners. The special late Canada goose season will be closed by emergency action if the harvest of dusky Canada geese exceeds 85 for the regular and late seasons. All provisions listed above for Goose Management Area 2A regarding written authorization, harvest reporting, and checking requirements also apply to the special late season; except hunters must confirm their participation at least 24 hours in advance by calling the goose hunting hotline (listed on hunting authorization), and hunters must check out by 5:00 p.m. on each hunt day regardless of success. It is unlawful to fail to comply with all provisions listed above for the special late season in Goose Management Area 2A.

Goose Management Area 3

Includes all parts of Western Washington not included in Goose Management Areas 1, 2A, and 2B.

Oct. 13-25, 2007 and Nov. 3, 2007 - Jan. 27, 2008.

Daily bag limit: 4 geese.

Possession limit: 8 geese.

Eastern Washington Goose Seasons

Goose Management Area 4

Adams, Benton, Chelan, Douglas, Franklin, Grant, Kittitas, Lincoln, Okanogan, Spokane, and Walla Walla counties.

Oct. 13-15, 2007, and Saturdays, Sundays, and Wednesdays only during Oct. 20, 2007 - Jan. 20, 2008; Nov. 12, 22, and

23, 2007; Dec. 24, 25, 27, and 28, 2007; January 1, 2008; and every day Jan. 21-27, 2008.

Goose Management Area 5

Includes all parts of Eastern Washington not included in Goose Management Area 4.

Oct. 13-15, 2007, every day from Oct. 20, 2007 - Jan. 27, 2008.

Bag limits for all Eastern Washington Goose Management Areas:

Daily bag limit: 4 geese.

Possession limit: 8 geese.

BRANT

Open in Skagit County only on the following dates:

Jan. 17, 19, 20, 22, 24, 26, and 27, 2008.

If the 2007-08 preseason brant population in Skagit County is below 6,000 (as determined by the early January survey), the brant season in Skagit County will be canceled.

Open in Pacific County only on the following dates:

Jan. 10, 12, 13, 15, 17, 19, and 20, 2008.

WRITTEN AUTHORIZATION REQUIRED:

All hunters participating in this season are required to obtain a written authorization and harvest report from the Washington department of fish and wildlife. Hunters who did not possess a 2006-07 authorization must submit an application form to WDFW (forms available at Washington department of fish and wildlife regional offices).

Immediately after taking a brant into possession, hunters must record in ink the information required on the harvest report. Return of the harvest report is mandatory. By February 15, 2008, hunters must return the harvest report to the Washington department of fish and wildlife, or report harvest information on the department's internet reporting system. Hunters failing to comply with reporting requirements will be ineligible to participate in the 2008-09 brant season.

Bag limits for Skagit and Pacific counties:

Daily bag limit: 2 brant.

Possession limit: 4 brant.

SWANS

Season closed statewide.

FALCONRY SEASONS

DUCKS, COOTS, AND SNIPE (Falconry)

(Bag limits include geese and mourning doves.)

Oct. 13-17, 2007 and Oct. 20, 2007 - Jan. 27, 2008 statewide.

Daily bag limit: 3, straight or mixed bag with geese and mourning doves during established seasons.

Possession limit: 6, straight or mixed bag with geese and mourning doves during established seasons.

GEESE (Falconry)

(Bag limits include ducks, coot, snipe, and mourning doves.)

Goose Management Area 1: Oct. 20, 2007 - Jan. 27, 2008 for snow, Ross', or blue geese. Oct. 13-25, 2007 and Nov. 3, 2007 - Jan. 27, 2008 for other geese.

Goose Management Area 2A: Saturdays, Sundays, and Wednesdays only, Nov. 10-25, 2007 and Dec. 5, 2007 - Jan. 27, 2008.

Goose Management Area 2B: Wednesdays and Saturdays only, Oct. 13, 2007 - Jan. 12, 2008.

Goose Management Areas 3, 4, and 5: Oct. 13-15, 2007 and Nov. 3, 2007 - Jan. 27, 2008.

Daily bag limit for all areas: 3 geese (except brant), straight or mixed bag with ducks, coots, snipe, and mourning doves during established seasons.

Possession limit for all areas: 6 geese (except brant), straight or mixed bag with ducks, coots, snipe, and mourning doves during established seasons.